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THE WHITE HOUSE
WASHINGTON

98 JUL 23 PM 7:14

July 23, 1998

MEMORANDUM TO THE PRESIDENT

FROM: STEPHANIE STREETT *SS*
SUBJECT: SCHEDULING DECISIONS
CC: JOHN PODESTA & MARIA ECHAVESTE

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Podesta
Echaveste
COS
Lindsey P. 7*

ACCEPT:

<u>Date of Event:</u>	<u>Description of Event:</u>
7/24/98	Boys Nation 1998 Event <i>Staff Contact: Maria Echaveste</i>
7/28/98	National Council of Senior Citizens Conference Banquet Dinner Hyatt Regency Capitol Hill, Washington, D.C. <i>Staff Contact: Gene Sperling</i>
7/29/98	Meeting with Bill Hybels
7/29/98	Photo-op with the 1997-98 Class of White House Fellows <i>Staff Contact: Jackie Blumenthal</i>
7/30/98	American Heritage Rivers Event Todd, North Carolina <i>Staff Contact: Katie McGinty</i>
7/30/98	Edwards Fundraising Reception Raleigh, North Carolina <i>Staff Contact: Craig Smith</i>
8/3/98	Brief Meeting with President-Elect Pastrana of Colombia <i>Staff Contact: Samuel Berger</i>
8/4/98	Meeting with the Congressional Hispanic Caucus <i>Staff Contact: Larry Stein</i>

8/5/98 Meeting with German SPD Chancellor Candidate Gerhard Schroeder
Staff Contact: Samuel Berger

8/5/98 Meeting with Deputy President Mbeki of South Africa
Staff Contact: Samuel Berger

Deputy President Mbeki will be in Washington, DC for the U.S.-South Africa Binational Commission (BNC) which he co-chairs with the Vice President.

8/6/98 Native American Economic Conference
Grand Hyatt Hotel, Washington, D.C.
Staff Contact: Mickey Ibarra

8/6/98 Off-the-Record Dinner with African-American Journalists
Location TBD
Staff Contact: Mike McCurry

Bill Douglas would like to host you and a group of African-American journalists at his home to a dinner of soul food. Are you ok with attending this dinner at Bill Douglas' home on this date?

Yes _____ No _____

Please note: We have tentatively scheduled the off-the-record dinner with the Al Hunt group for September 22.

8/7/98 Photo-op with the 1998 Summer Session II Intern Group
Staff Contact: Virginia Apuzzo

8/7/98 Photo-op with Congressman Barcia and Constituent
Staff Contact: Larry Stein

Sherry Swanson, Cong. Barcia's constituent, was shot twice in the head by a man at a Florida convenience store. The man had been released early from prison after being convicted of attempted murder. Cong. Barcia passed a resolution in her honor which encourages states to work more aggressively to attack the problem of violent crimes by repeat offenders and criminals serving abbreviated sentences. Erskine Bowles and Larry Stein have indicated that this is very important to Cong. Barcia.

8/13/98 White House Event for the 1997 Women's National Basketball Association Champions, the Houston Comets
Staff Contact: Maria Echaveste

9/10/98 Cabinet Meeting
Staff Contact: Thurgood Marshall, Jr.

Please note that a date before your vacation was offered to Cabinet Affairs. However, the office has indicated that they would prefer to do this meeting in September during your first week back in the office.

9/11/98 Religious Leaders Breakfast
The White House
Staff Contact: Maria Echaveste

9/15/98 Meeting with the Congressional Black Caucus
Staff Contact: Larry Stein

Unity Events

8/10/98 Unity Dinner
Chicago, IL

9/14/98 Unity Lunch
New York, NY

9/14/98 Unity Dinner and *Lion King* Performance
New York, NY

The First Lady and Mrs. Gore will also be attending these events.

9/17/98 Unity Dinner
Boston, MA

9/26/98 Unity Dinner
Los Angeles, CA

10/1/98 Unity Dinner
Washington, DC

10/5/98 Unity Dinner
Washington, DC

10/7/98	Unity Lunch Washington, DC
10/13/98	Unity Lunch Palm Beach, FL
10/13/98	Unity Dinner Miami, FL
10/16/98	Unity Dinner St. Louis, MO

PENDING:

Date of Event:

Description of Event:

8/3/98

Dinner with Experts and Thinkers to Discuss Youth Violence
Staff Contact: Melanne Verveer, Bruce Reed

The First Lady's office has been working to schedule a meeting with experts and thinkers to discuss the issue of youth violence. The current proposal is for the First Lady to host a dinner at the White House on Monday, August 3rd. Before you commit to attending this dinner, you should be aware that you are currently scheduled to attend evening events on Tuesday, Wednesday, and Thursday of that week. *Is this event something you would be interested in attending?*

Yes Y No

8/10/98-8/16/98

20th World Congress of Philosophy
Boston, MA

Father Leo O'Donovan wrote you a letter encouraging you to attend this conference in Boston. You are currently scheduled to travel to Kentucky, Illinois, California, South Dakota (T) and Wisconsin on August 10-12, and to tentatively travel to New Hampshire with the First Lady on August 15, before going to Martha's Vineyard to begin your vacation. You are currently only scheduled to be in Washington DC on August 13 and 14, and these are your last days in the office before your vacation. Therefore, it seems that it would be difficult to schedule travel to Boston during the week of this conference.

Before Vacation

Golfing Photo with Sec. Shalala for *TIME Magazine*
Staff Contact: Mike McCurry

Ann Blackman at *Time Magazine* is doing a piece on women who play golf for business reasons. McCurry recommends that we set up a time for you to go out to the White House putting green for photos with Sec. Shalala or to play golf with her before vacation. Is this something you would like us to set up?

Putting Green ☒ 9 Golf Game ☒ *yes*
Neither, would prefer not to do _____

Before Vacation

Meeting to Discuss Administration Response to Threat of Genocidal Violence
Staff Contact: Samuel Berger

Your schedule is very full before vacation. Is this something that could be postponed until September, or can it be done on paper?

On Paper _____ September _____
Before Vacation ☒

9/11/98

Irish American Community Event
The White House
Staff Contact: Maria Echaveste, Samuel Berger

The NSC recommends this event take place the week you return from Ireland. Is this time frame ok with you?

Yes ☒ No _____

9/18/98

☒ Culminating Event for the Advisory Board to the President's Initiative on Race
Location TBD
Staff Contact: Maria Echaveste, Minyon Moore, Judith Winston

9/24/98

☒ Working Visit with Saudi Arabian Crown Prince Abdullah
Staff Contact: Samuel Berger

September TBD

Fe Address Regional Appointees from HUD, HHD, Ed, Labor, SBA, GSA, FEMA, USDA, and EPA
Staff Contact: Thurgood Marshall, Jr., Bob Nash

7-24-98

TBD

White House Event for the Presentation of the "President's Service Awards"

Staff Contact: Thurgood Marshall, Jr.

✓ **The President's Service Awards, co-sponsored by the Corporation for National Service and Points of Light Foundation, honor twenty Americans who have demonstrated outstanding volunteer service to their communities. Cabinet Affairs is exploring the possibility of having Gen. Powell join you for this event.**

REGRET:

Date of Event:

Description of Event:

7/20/98 - 7/24/98

National Convention of the American Postal Workers Union, AFL-CIO

Cobo Convention Center, Detroit, MI

Staff Contact: Craig Smith

You taped a video message to be sent to this convention.

7/24/98

Army's Commemoration of the 50th Anniversary of the Integration of the Armed Forces

DAR Constitution Hall, Washington, D.C.

Staff Contact: Virginia Apuzzo

This event is scheduled to begin at 7:00pm. You are scheduled to leave for Camp David at approximately 2:00pm on this day. Sec. Cohen will be attending this event, and Sec. West is also considering attending.

7/24/98

YWCA's 35th National Convention Opening Dinner
Pittsburgh, PA

Staff Contact: Judith Winston

You are currently scheduled to be in Washington, D.C. on this day to participate in the Boys Nation Event. This proposal has been forwarded to the other principals and Cabinet for consideration, and a letter from you will be sent to be read at the dinner.

7/26/98

Department of Defense 3rd Biennial World Wide Equal
Opportunity Conference
Birmingham, AL
Staff Contact: Virginia Apuzzo

You are scheduled to be in Aspen, CO and Albuquerque, NM on this day. Sec. Togo West, Dr. Hamrey, Deputy Sec. of Defense, and Rudy de Leon, Undersecretary of Defense for Personnel and Readiness, will all address this conference.

7/31/98

*could
be used
Bij union*

United Food and Commercial Workers International Union Fourth
Regular International Convention
Chicago, IL
Staff Contact: Craig Smith

You are currently scheduled to be in Washington, D.C. on this day, and to depart for the Hamptons that afternoon. A letter from you is being drafted, and will be read at this convention.

7/31/98 - 8/2/98

used?

National Association of Police Organizations (NAPO) 20th Annual
Convention
Portland, OR
Staff Contact: Bruce Reed

You are currently scheduled to be in the Hamptons, NY on these days. A letter from you is being drafted to be read at this convention.

8/8/98



National Convention of Tuskegee Airmen
J.W. Marriott Hotel, Washington, D.C.
Staff Contact: Maria Echaveste

You currently are scheduled to have this day and evening off. This proposal has been forwarded to the other principals and the Cabinet for consideration, and a letter from you is being drafted to be read at the convention.

9/7/98

*perhaps
should
consider
an BZ to
discuss w/ me*

Rededication of Mt. Rushmore
Mt. Rushmore, South Dakota
Staff Contact: Craig Smith

Sen. Daschle submitted a request for you to attend this ceremony on Labor Day. Unfortunately, this is the day after you are scheduled to return from your Russia/Ireland trip.

7-24-98

9/9/98

250th Anniversary Celebration for Washington & Lee University
Lexington, VA

Staff Contact: Bob Nash

✓
Lee

You are currently scheduled to travel to Florida for a Back-to-School event and a lunch and dinner for Buddy McKay.

CC:
Saunders
maloney

The Paper Wars

BY ALEXIS SIMENDINGER ■

The talk this summer about a do-nothing Congress and a lame-duck president masks one of the enduring truths about power and politics in Washington: Legislating isn't everything. While President Clinton and the GOP majority tangle over a thin list of competing bills in the muggy heat of July, each is using some crafty tactics away from the legislative battlefield to test the other's mettle.

For a second-term president dogged by an independent counsel in a mid-term election year, the use of executive orders and other directives to bypass a

Republican Congress helps Bill Clinton look engaged when the legislative in-box is all but empty. For the GOP Congress, the power to investigate the Clinton administration's policies allows them to thwart, and sometimes intimidate, an executive branch government pursuing policies and politics seen as inimical to Republican interests and conservative ideology.

Washington's paper wars—presidential orders v. congressional oversight—are nothing new. What's noteworthy, however, is the ever-more-sophisticated use of what one Washington hand dubbed "the inside game." In Clinton's case, he's learned over five years how to favor the administration's friends, motivate or rebuke Congress, bypass his own agencies and respond to emergencies—all through presidential decree he insists is grounded in existing law.

Meanwhile, some Republicans, particularly the more ideologically committed House conservatives, have become increasingly aggressive in their use of oversight powers to jam the gears of Clinton's bureaucracy. Some have taken

PRESIDENT CLINTON AND HIS GOP FOES HAVE MASTERED THE ART OF GETTING THEIR WAY WITHOUT PASSING BILLS. CLINTON IS ISSUING EXECUTIVE ORDERS, WHILE REPUBLICANS ARE GUMMING UP THE BUREAUCRACY WITH ENDLESS INQUIRIES.



their complaints about the administration to the courts, and others—targeting environmental and land issues in particular—have used their clout to help corporate interests in their battles with the executive branch. (See box, p. 1735.)

As the 1998 midterm elections near, politicians from both

parties have begun grousing more loudly about the tactics of the opposing side. Republicans accuse Clinton of unconstitutional power grabs and threaten to punish him. And the White House and agency officials bemoan the GOP's relentless and time-consuming demands for every recorded trace of executive deliberation on issues ranging from global climate change to spending on the arts.

One result is a notable degeneration in what is, after all, the fundamental business of government: addressing problems. "In some respects, this kind of governing is really suited to campaigning," said Thomas E. Mann, director of governmental studies at the Brookings Institution. "It's a good way for each side to make some headway with the public, but it's the second- or third-best way of dealing substantively with problems."

But the paper wars are about more than merely scoring points and stalemating the enemy. They represent tactical means toward substantive ends; they are expressions of the duel between political philosophies that has defined the dynamic of governance since the Democrats lost the Congress in 1994.

PAST AS PROLOGUE

Clinton's reliance on his executive authority builds on the practices of his predecessors. While the Constitution says Congress shall write the laws, there are plenty of examples of presidents who have turned leadership into lawmaking. "Clinton is doing what a lot of presidents do in a second term when the legislature doesn't look too inviting," said Louis Fisher, a Congressional Research Service senior specialist on separation of powers. "Nixon did the same thing. There's nothing new about this pattern."

The only checks on presidential legerdemain are court challenges and subsequent legislative intervention by Congress. In most cases, however, the courts have affirmed presidents, leaving it to Congress to apply the brakes through oversight.

Comparisons of the numbers of executive orders issued by presidents are not particularly illuminating, since the vast majority are routine announcements. And executive orders,

which have the force of law, are not a president's only means to govern by edict: There are also directives, memorandums, proclamations, signing statements, policy instructions and creative interpretations of statutes through budgeting. A president's power is theoretically limited to the management of the executive branch, and executive orders and other instructions to the departments are supposed to be based on existing authority under law. But presidents frequently test those boundaries.

Abraham Lincoln used a proclamation to free the slaves in 1863. Franklin D. Roosevelt put Japanese-Americans in detention camps by executive order in 1942. Harry S. Truman, during the Korean War in 1952, ordered federal seizure (which the courts later invalidated) of the country's steel mills to end a labor-management dispute.

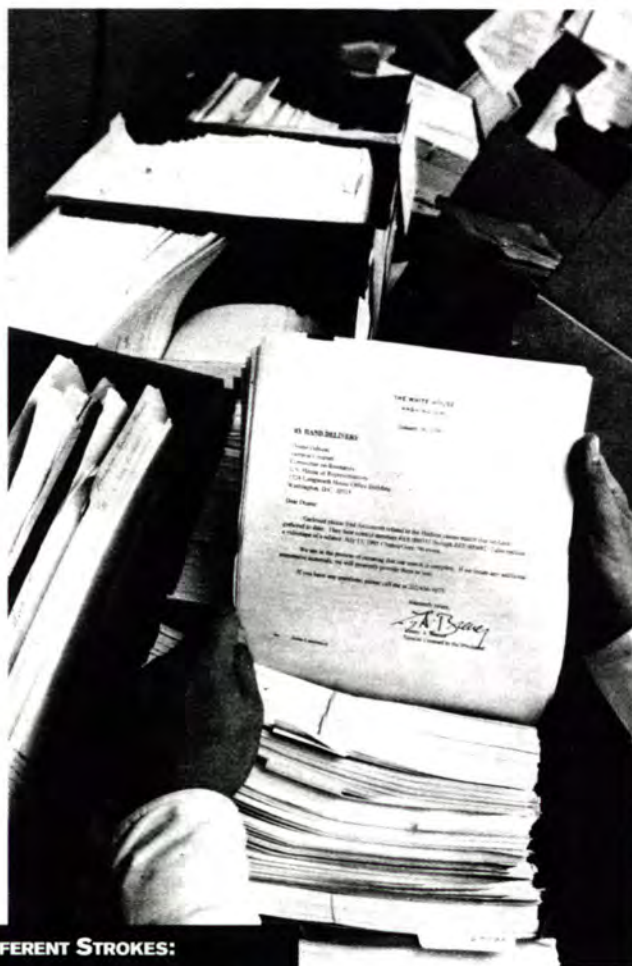
In 1971, Richard Nixon used a proclamation to levy a 10 percent surcharge on imports as part of his "new economic policy." In 1975, Gerald R. Ford imposed through proclamation a fee on imported oil, and Jimmy Carter did the same in 1980. The courts upheld Nixon and Ford, but overturned Carter. Ronald Reagan got into trouble with Congress over his secret implementation of the Iran-contra policy through oral national security decision directives between 1983 and 1985. Congress rewrote the law in 1991 to ensure better monitoring of covert policies.

Clinton has built upon the foundation of his predecessors. And like them, he has sometimes overreached, more and more so since Republicans reversed

40 years of Democratic rule in 1994 and assumed the majority. One example occurred in 1995. Certain that Republicans would kill any legislative effort to bar employers from replacing striking workers, the president attempted to impose his labor policy on the executive branch through federal contracting. The U.S. Chamber of Commerce successfully challenged the president's executive order in court a year later.

"There's no question that this administration has really seen the executive order as a way to get done what would be very difficult to do otherwise," said Phillip J. Cooper, a professor at the University of Vermont who is studying Clinton's use of executive authority for an upcoming book.

But if Clinton may be accused of a reach that occasionally exceeds his constitutional grasp, the same certainly can be



DIFFERENT STROKES:

Clinton signs an executive order at Lake Tahoe; Interior Department documents pile up at the House Resources Committee.

RICHARD A. BLOCK

CULTURE WARS:

Determined to bar federal aid to artists such as the chocolate-smearing Karen Finley, Rep. Peter Hoekstra frequently demands that the NEA provide him with documentation of its grant decisions.

RICHARD A. BLOOM



SUZANNE PLUNKETT/AP

For each of the above, please provide the following information for the last three fiscal years (1994 through 1996).

- A) completed grant applications;
- B) supplemental materials, appendices or third party references provided by the grantees, or other parties, in support of their grant application;
- C) any material produced during the NEA's grant review process, including panel comments;
- D) the NEA's final notification of approval;
- E) the post award evaluations and financial reports; and
- F) where possible, copies of any actual projects, productions or programs produced with these NEA funds.

said of his Republican counterparts in their use of Congress's oversight power to "reform" the federal bureaucracy and rein in a Democratic administration.

The practice and rules governing congressional oversight and investigation evolved from court action, not the Constitution, and while lawmakers have wide latitude, the Supreme Court has said they're limited to investigations "in aid of the legislative function." In other words, the Court has said, legislators are not law enforcement or judicial agents and they are not supposed to expose merely for the sake of exposing. Congress's legitimate purview includes alleged corruption, waste, fraud, abuse and bad management within executive departments. But these are pretty broad areas, and a lot of hostile questioning can be made to fit into them.

Most of the major case law that Congress uses as the legitimating force for its inquiries was written in the 1920s as a result of the Teapot Dome kickbacks of the Harding administration. Since then, oversight procedure has evolved from scandal to scandal, with each party learning from, and build-

ing on, the tormenting tactics of the other. Republicans say they have consciously imitated the methods of the most aggressive Democratic investigators who preceded them, such as former Energy and Commerce Committee chairman Rep. John D. Dingell of Michigan and former Judiciary chairman Rep. Jack Brooks of Texas. If anything, GOP Members say, they're not as tough and effective as their role models.

"John was good," said Michigan Republican Rep. Peter Hoekstra, chairman of the House Education and the Workforce Oversight and Investigations Subcommittee. "He was good at driving [the Democrats'] agenda, putting the package together, driving the publicity and information, and at the end of the day, the legislation. I think that's not a bad model for creating change and getting things done."

"We're not providing any seminars," replied Dingell, who denied any responsibility for inspiring GOP investigatory zeal, which he denounced as "entirely partisan." Dingell said his colleagues function "ineptly, unfairly, maladroitly and . . . maliciously." In comparison, his own oversight work "skewed" federal programs, agencies and officials regardless of

party affiliation, he boasted. "We were quite impartial in who we went after."

LEARNING CURVE

From the GOP Contract With America in 1994, to the reorganization and renaming of congressional committees and the adoption of new House rules with emphasis on oversight, the new majority broadcast its direction from the outset. House Speaker Newt Gingrich, R-Ga., who made a name for himself by burying former Speaker Jim Wright under a book scandal, was predisposed to shine a bright light on the workings of the Clinton administration.

"Republicans will use the subpoena power to investigate the administration," Gingrich promised before the 1994 elections. A GOP oversight memo made Republicans' agitation clear: "Philosophy—the more time employees of the Administration have to respond to legitimate Congressional requests, the less time they have to carry out their agenda. . . . Remember the Democrats know what it's like to be in the majority. They are playing to win and take no prisoners."

"There was a pent-up demand for investigation," said an administration source. "There was a certain resentment that Democrats had controlled all the investigatory tools for so many years."

The Republicans had a general idea about what they wanted to accomplish with oversight, said Hoekstra spokesman Jon Brandt. "We weren't trying to defend the status quo. We're interested in changing the status quo. We want to transform how the federal government operates."

What the GOP congressional leaders hadn't counted on was how little they knew about handling the levers of power. "It became a process of learning to lay the groundwork for the policy work we wanted to do," said Michele Davis, spokeswoman for House Majority Leader Richard K. Armev of Texas. Some chairmen needed tutoring from the leadership about their newfound powers.

But the days of stumbling and tutoring are over. House Republicans say they have learned, through hard experience, that information they want from the administration detailing how policy decisions are hashed out can be found in e-mail and telephone message logs as well as in decision memos. So now they ask for nearly everything. They've also learned that agencies don't mind tucking requested material within reams of other papers as a distracter, and that a quick turnaround of documents by the departments is almost unheard of.

The Republicans have also learned to punish those who do not, in their view, sufficiently comply with requests for information. "When we don't get respect as authorizers, we go after

THE GOP-INTEREST GROUP CONNECTION

Like other federal offices, the Department of the Interior gripes about being buried by an avalanche of document requests from Congress. But Interior adds another complaint: It's worried that the records going to Capitol Hill are being used to aid groups suing the department.

Small wonder. After President Clinton designated land in Utah as a national monument two years ago, sparking some interest groups to file a lawsuit, Rep. James V. Hansen, R-Utah, helped subpoena administration documents on the matter.

The litigants "will feel they hit the mother lode with this," *The Salt Lake Tribune* quoted Hansen as saying. "That's one reason I pushed to make the documents public—to help them."

Or consider what happened last year when the Northwest Mining Association, a group based in Spokane, Wash., sued Interior over a new mining regulation.

After Interior rebuffed a Freedom of Information Act (FOIA) request from the mining group, citing attorney-client privilege, a House Resources subcommittee chaired by

Wyoming Republican Barbara Cubin used its oversight powers to obtain the very same documents the group had wanted.

"This is not about information," a senior Interior official said. "We would give them all the information they wanted. But they wanted the documents to hand to the plaintiff."

GOP committee staffers and industry lawyers deny any hanky-panky. They say that the subpoenaed documents appeared only in the committee's June 5 oversight report, which was issued after the lawsuit had been decided.

"We don't conduct discovery for any private litigant, period," said Duane Gibson, a Resources Committee counsel.

But in a telephone interview, Laura Skaer, executive director of the mining association, said the committee was instrumental in her



BARBARA CUBIN

WITS END PHOTOGRAPHY

organization's victory in the lawsuit. Three days later, however, Skaer called back to say her group didn't receive any documents from the committee.

Cubin was involved in another dustup with Interior. Last year, 10 oil and gas associations filed an FOIA request for

documents related to an Interior review of businesses that drill on federal land. Interior, which suspected that the associations were gathering ammunition for a lawsuit, told the oil and gas interests they would have to cough up thousands of dollars in retrieval and copying fees.

In March, Cubin told Interior to hand over the documents requested in the initial FOIA. According to Bill Condit, Cubin's subcommittee staff director, the oil and gas interests were "telling us that the department [wasn't] acting on the FOIA request in a timely fashion." —Mark Murray

■ A PLETHORA OF PAPER

Faced with legislative roadblocks in Congress, President Clinton has frequently used executive decree to further policy objectives. At right, Clinton signs an executive order dealing with a ban on sexual discrimination.



Environment: In September 1996, Clinton transformed 1.7 million acres of southern Utah into a national monument using executive authority under the 1906 Antiquities Act.



Health care: In February 1998, Clinton applied a "patients' bill of rights" to nine million federal employees and family members and 75 million people covered by Medicare, Medicaid and other government health plans.



Child safety: In April 1997, Clinton issued an executive order to all federal agencies to reduce environmental health and safety risks to children from air, food, water, soil and man-made products.



Families: In February 1995, the president signed an executive order to improve child support collection by allowing the government to cross-match state information about deadbeat parents with federal employment records.



Labor: In March 1995, Clinton used an executive order—later overturned by an appellate court—to prevent federal agencies from entering into contracts with employers that permanently replaced striking workers.



259	22	60	5	1,200
Number of executive orders President Clinton has signed since taking office in 1993.	Number of executive branch offices that have received inquiries since March from Rep. David McIntosh, R-Ind., on climate change.	Estimated number of EPA staffers who worked on a request from Rep. Thomas J. Bliley Jr., R-Va., for documents concerning regional offices.	Number of electoral votes in Utah, where Clinton caused a ruckus by creating the Grand Staircase-Escalante National Monument in 1996.	Estimated number of staffer-hours the NEA spent answering a document request from Rep. Peter Hoekstra, R-Mich.

their money. That's really the only thing they respect," added an aide to Rep. David McIntosh, R-Ind., who is the chairman of a House Government Reform and Oversight subcommittee.

Congress most obviously makes news when it uses its oversight and power over the purse to seek information that is embarrassing or legally threatening to the Clinton administration. But the less noticed, more creative employment of its power uses oversight as an end in itself: a means of impeding, or expressing disapproval of, the administration's policy aims.

A good example of the technique may be found in the congressional approach to the global climate change treaty the Administration signed last year in Kyoto, Japan. McIntosh, who was the brains behind President Bush's anti-regulatory Competitiveness Council, frowns on the treaty. So he has submitted more than 100 multipart questions on the subject to 22 federal agencies, departments, offices and institutions. The Government Reform Committee has

issued three subpoenas to the White House. He's also trying to bar funding for any Environmental Protection Agency action tied to the treaty.

Meanwhile, on the Senate side, Republicans are using a confirmation hearing for Frank E. Loy, Clinton's nominee to be undersecretary of State for global affairs, to wage war against the treaty. Sen. Chuck Hagel, R-Neb., the head of the Senate's observer delegation to Japan, in May sent the nominee 60 single-spaced pages of questions about climate change policy, along with requests for related documents. That was in addition to the inquiries the Department of State received from McIntosh, a spokesman said.

THE STROKE OF A PEN

Down Pennsylvania Avenue, the White House went back to the classroom, too. "In '93 and '94, we were very legislatively minded," recalled National Economic Council director Gene

GOP OFFENSIVE:

The philosophy behind Republican demands for Clinton administration documents was spelled out in this 1995 memo to House Republican aides on oversight committees. The memo was drawn from notes taken during a regular meeting of staff members with oversight responsibilities. Excerpts from the memo are reproduced at right.

MIKE THEIL/REUTERS

Oversight Meeting

Topic-- Carrying out the Republican Agenda: Hearings and Markups

The Leadership has been concerned about the ability of the Democrats to upstage hearings, place the Republicans on the defensive, and capitalize on media events.

The following critique is provided to assist in planning hearings.

6. Do not be put off by the Administration. They are often our foe. Demand documents, draft tough letters, and recall Dingell and others who forced Republican Administrations to spend a lot of time on their requests. Philosophy-- the more time employees of the Administration have to respond to legitimate Congressional requests, the less time they have to carry out their agenda. Many bureaucrats in the Administration believe the Republicans will be out in two years and are stalling at any cost.

PET PEEVES

Republican lawmakers have flooded the Clinton administration with demands for documents and records on how it has handled numerous hot-button issues. Some examples:



Arts: Rep. Peter Hoekstra has ordered the National Endowment for the Arts to produce documents on everything from NEA grants to the chairman's travel records. The NEA has handed over 23,000 pages.



Climate change: Rep. David M. McIntosh has filed exhaustive requests for documents concerning 1997's Kyoto climate change treaty. The EPA alone has turned over or is planning to turn over 50,000 pages.



Communications: Lawmakers have made the Federal Communications Commission a frequent target, flooding it with an estimated 7,000 letters a year, according to ex-FCC chairman Reed E. Hundt.



Education: Hoekstra has demanded from the Education Department and other federal agencies wide-ranging background information on 760 federal programs dealing with education.



Environmental justice: Rep. Thomas J. Bliley Jr. wants all EPA documents dealing with its initiative on race and pollution. Twelve people are working on the request, and the EPA has sent him about 15,000 pages.



Timber: As part of a probe of timber sales, Rep. Don Young, R-Alaska, has told the Council on Environmental Quality to provide all phone, fax and correspondence records for certain months in 1996.

SOURCES: The Federal Register, Congress, executive agencies

B. Sperling. "After we lost Congress, we were just playing defense and fighting for our lives. But by the end of '95, we were learning how to explore the full range of presidential power."

Use of his executive authority helped Clinton regain his traction after the defeat of health care reform and the Democratic rout at the polls in 1994. Administrative action became a part of the president's rapid response when he found himself facing the GOP opposition. Bypassing Congress—and even circumventing the deliberative pace of the agencies—appealed to Clinton's merger of politics, policy and his ceaseless desire to attract media attention.

"Sometimes we use it in reaction to legislative delay or setbacks. Sometimes we do it to lead by example and force the legislative hand," explained senior Clinton adviser Rahm I. Emanuel. "Obviously, you'd rather pass legislation that can do X, but you're willing to make whatever progress you can on an agenda item."

A classic example of the kind of showy executive order move that Clinton favors occurred in 1996, when the president, with a pen stroke, declared almost two million acres of Utah land off-limits to mining. The move thrilled Clinton's environmental supporters and infuriated both his GOP foes and, it seemed, most people in Utah. And it cost Clinton nothing politically; Utah wasn't going to vote for Clinton anyway. Another, more recent, example was on display in February, when the president used his executive prerogative to apply a patients' bill of rights to all federal health plans. The move gave Democrats an easy political gain on a good voting issue, while increasing the pressure on Republicans to pass legislation this year.

Two more examples from 1997: After the sheep Dolly was cloned, Clinton bypassed the agencies to swiftly ban the use of federal funds for human cloning experiments. And when Congress stalled on passing a juvenile crime bill, he issued a direc-

tive mandating the use of child safety locks on guns used by all federal law enforcement officers. What did that small measure do to protect children from accidental gunshot deaths? Not much. But Clinton could say, every little bit helps. What did it do to hurt Republicans? Maybe not much also, but here, too, every little bit helps.

"Emergency" response by presidential fiat has taken numerous forms under Clinton. Last Saturday, the President instructed the government to buy up surplus wheat to bolster flagging prices, and then donate the purchases to poor countries—a nice, clean election-year strike at the GOP's rural vote. A more prominent case was the president's 1995 bailout of the Mexican peso using a Treasury emergency fund intended to protect the dollar. —

"We learned you've got to kind of control the ball," said a senior White House official. "It's just become part of what we do."

Republicans are unapologetic about their efforts to probe the Clinton administration's expenditures, interpretations of statutes and management. "What I think Congress can be criticized for is not doing oversight enough," said Rep. Thomas J. Bliley Jr. of Virginia, chairman of the Commerce Committee. Bliley's latest project is curbing the Federal Communications Commission's implementation of the 1996 telecommunications act, particularly its phone surcharge to pay for wiring schools and libraries to the Internet, which he

and members of both parties have faulted as too costly for consumers.

"These bureaucrats operate willy-nilly, and some of them get carried away. . . . If you don't ask for these documents, you can't find out if there was a problem," Bliley explained.

Clinton's freewheeling use of orders, directives and presidential instructions has some in the Republican ranks upset enough to propose appropriations riders to counter what they see as his attempt to evade checks and balances. And Senate Majority Leader Trent Lott of Mississippi has blessed an effort in the leadership's policy shop to catalog all of Clinton's executive orders, as the first step toward reining him in, either legislatively or through the courts, said spokesman John S. Czwartacki.

Ensuring that at least disgruntlement is bipartisan, current and former Clinton officials aren't shy about expressing their impatience with Republican overseers. Former FCC chairman Reed E. Hundt complained, "These tactics have totally changed for the worse the ability of the agency to function independently, and the ability of the agency to do the hard job of giving real, meaningful application to the laws."

Kathleen McGinty, chairwoman of the White House Council on Environmental Quality, echoed the frustrations. "We spend hundreds of hours and produce tens of thousands of documents and expend tens of thousands of taxpayers' dollars—not in protecting the environment, as we're charged to

UNION LABEL:

Eager to cement his ties to labor, Clinton issued an executive order in 1995 barring many businesses from replacing striking workers. The order was later overturned.

DAN LEVINE/REUTERS



AP/WIDEWORLD

Sec. 4. (a) When the Secretary determines that a contractor has permanently replaced lawfully striking employees, the Secretary may debar the contractor, thereby making the contractor ineligible to receive government contracts. The Secretary shall notify the Administrator of the General Services Administration of the debarment, and the Administrator shall include the contractor on the consolidated list of debarred contractors.



BABBITT WATCH:

Interior Secretary Bruce Babbitt is a frequent GOP target. In a 1996 letter, Rep. Don Young demanded documents on Babbitt's trips, questioning whether they were politically motivated.



QUESTIONS ON NATIONAL HERITAGE TOURS

- 14) When did planning for the each of the National Heritage Tours (NHT) begin? What was your personal involvement? What meetings did you or your staff attend? What suggestions did you or your staff offer? Please describe the process by which each of the tour concepts came about, and trace it through to implementation. Please explain how and why the themes were developed; explain the places that were chosen and why; list and describe all meetings and the purposes of those meetings. Approximately how many staff hours were expended planning and implementing each of the tours?

do—but in responding to the witch-hunt crusades from Capitol Hill,” she said. “It’s a desperate, flailing effort to prove conspiracies, because there is no ability for that gang to get themselves together and offer anything positive to the American people.”

Governmentwide statistics about the cumulative weight of Republican scrutiny since 1995 do not exist, so costs and burdens are hard to measure. Each federal office, agency or department is responsible for sending documents to Capitol Hill, and many make it clear they believe they’re being stretched to the limit.

“What McIntosh is trying to do is chill the appropriate work of agencies on a difficult issue, greenhouse gases,” said EPA administrator Carol Browner. “It has taken us 500 manhours to comply with [his] request, just on that issue. These are fishing expeditions, and they’re designed to end in a game of ‘gotcha.’”

The CEQ is particularly incensed about the House Resources Committee’s opposition to Clinton’s 1997 American Heritage Rivers initiative, which, ironically, the White House at first feared did not have enough heft. But committee chairman Don Young of Alaska worries that the ultimate

impact of the voluntary plan to christen 10 waterways could amount to a federal land-grab. He held a six-hour oversight hearing and unsuccessfully joined three other lawmakers in trying to sue the president and McGinty to halt the program. A district court judge said the members had no standing. They are appealing, according to the CEQ.

In an entirely predictable fashion, the friction on both sides only encourages the offending behavior by each of them. Clinton becomes more determined to move his agenda by inches, and the GOP presses harder to shut him down. The less Republicans want to legislate and the more they want to investigate, the more urgent the president’s desire to force the boundaries of his powers. Washington’s inside game is more partisan, less trustworthy and more removed from the sunshine of public scrutiny. It’s not exactly what most voters have in mind on Election Day.

“You’d never survive in the private sector the way we do things around here,” Hoekstra said. “It’s not very pretty.” ■

Staff correspondents Eliza Newlin Carney, Margaret Kriz, Rochelle L. Stanfield and Peter H. Stone and reporter Mark Murray contributed to this story.

To: President of The U.S., Bill Clinton

From: Barbara Heeb Sanders,

409 E. Griffin St., Harrisburg, Arkansas 72432

July 14, 1998

~~not for~~ ~~gates~~

cc Phil
Clinton

Dear President Clinton,

This is a formal request asking you to consider
presenting a Presidential Medal of Freedom to
Jimmy Driftwood for his contributions to ~~the folk~~ ^{folk} music and arts preservation in The United States.

I spoke with Lynda Dixon, and she checked
with The White House. Lynda said I first had
to send you this formal letter of request. (I
have enclosed a list of Driftwood's qualifications.)

As you know, since you wrote letters to
former Presidents about this, I worked on
this effort back when Senator John McClellan
nominated Jimmy for this honor.

To my knowledge, you have not been
asked to make this presentation. Now that
Jimmy's story has come to an end, I
sincerely believe he deserves to be so
honored by his President — and his
Country. Few have given so much.

Thank you,

Barbara Heeb Sanders

1-(870) 578-2698

7-23-98

To Burkhardt
for Reply.

yes

Jimmy Dristwood
 National Advisory Board of the National Endowment for the Arts, Artists in
 Education Division, member
 Board of Advisors to the John F. Kennedy Center for the Performing Arts, member
 Arkansas Parks, Recreation and Travel Commission, member and chairman
 Arkansas Arts Council, member
 Advisory Board of the Arkansas Motion Picture and Entertainment Commission, member
 Rackensack Folklore Society, founder and president
 The American Folklore Society and the National Folklore Society, member
 Country Music Association and the Grand Ole Opry, member
 Board of Electors of the Country Music Hall of Fame, Nashville, member
 The Arkansas Folklore Society, member and board of directors
 Phi Alpha Theta
 Audubon Society—state and national, member
 Arkansas Historical Society, member
 Ozark Society and the Sierra Club, member
 Associate of the Smithsonian—program advisor for the National Folklife Festival
 Musicologist and writer for the National Geographic Society
 Leader in the development of Blanchard Caverns and the Buffalo National River
 Nominee for the Presidential Medal of Freedom—by Senator John McClellan
 First official goodwill ambassador of Arkansas—under five governors
 Concerts and workshops for over 200 colleges and universities during the last six years
 Planner of the Ozark Folk Center, Mountain View—served as program director
 First folk artist to play Carnegie Hall
 Multi-State Transportation Corridor Advisory Board, Arkansas voting delegate
 Radio and television programs for National Public Radio, French National Television,
 the Voice of America, Educational TV in the United States, Radio Luxemburg,
 and the BBC in London
 Arkansas representative to the Great River Road Conference (Canada to New Orleans)
 Arkansas representative to Europe to encourage tourism in the South
 Arkansas representative to the HemisFair, San Antonio
 Two tours of Asia for the United States Information Service
 Arkansas Folk Festival, founder
 Folk Hall of Fame, founder
 Mid-America representative to the Educational Communication Association, Nassau
 Arkansas Authors and Composers Society, member
 Arkansas Writers Conference, Inc., member
 Educational film work done for the Los Angeles School Board, the University of Oklahoma,
 the University of Georgia, the University of Arkansas and Winrock International
 Farms
 National Parks Service Bicentennial Committee, member
 Honorary Doctor of American Folklore Degree, Peabody College, Vanderbilt University
 Three Grammy Awards
 Ozark Writers and Artists Guild, member
 Teacher 25 years in Arkansas schools
 Rancher
 Faculty of East Texas State University

To: President Bill Clinton

From:

R. L. C.



gob su

GREEK ORTHODOX ARCHDIOCESE OF AMERICA

8-10 East 79TH Street, New York, NY 10021 Tel:(212) 570-3500 Fax:(212) 861-2183

7-23-98

To Burkhardt
for Reply.

President Bill Clinton
The White House
Washington, D.C.

17 July 1998

98 JUL 23 PM5:06

Dear President Clinton,

I greet you in the name of our Lord Jesus Christ. I trust that the summer affords you some time to enjoy your lovely family. Please convey my regards to Hillary and to Chelsea.

I write to you on the anniversary of a bitter day in the life of our community. There is not a Greek American who does not remember with pain and sadness the invasion of the Republic of Cyprus by Turkish forces on the 15th of July, 1974. This violent act that shattered a nation and exacerbated the animosities between the Turkish State and the Republic of Greece continue to affect the well being of both nations as well as the European Union. It has been twenty-four years.

Despite the good will of many individuals, there seems to be no solution in sight. We discern no movement that might cause us to rejoice that our thirst for basic human rights may be quenched by the waters of righteous action on behalf of freedom. My heart and the hearts of our faithful are heavy with sorrow on behalf of the people of Cyprus.

I know from my personal contact with you that you are a fair and just man. I want you to know that I earnestly pray for the enlightenment of all whose hearts have been hardened to the voice of Cyprus' long suffering division. I pray that your powerful office and reputation for fairness may prevail against the forces of darkness and oppression. It may be that you are the only hope left, as the political leader of the United States, the standard bearer for democracy and human rights in the world. Please do not forget the people of Cyprus.

I hope and pray that the Lord might grant you a moment of peace filled joy and rest with your family in summer's bright light. May God grant you, your family and the nation His abundant blessings. I remain your humble supplicant before the Lord.

Sincerely,

Archbishop Spyridon

+Archbishop SPYRIDON
Primate of the Greek Orthodox Church of America
and
Exarch of the Ecumenical Patriarch



jgill @ penfield-gill.com
07/17/98 04:35:00 PM

1. Ce VP for
2. 5000 for reply

Record Type: Record

To: Nancy V. Hernreich

cc:

Subject: Encryption news you should have

'98 JUL 23 PM5:06

Dear Mr. President,

This is important news. It is useful to know that the US Government, in the person of Robert Litt, principal associate deputy attorney general at the Department of Justice, has been mis-representing the truth. It degrades the trust between us all. Perhaps he was simply ignorant. This is hardly better.

<http://www.wired.com/news/news/technology/story/13800.html>

I hope we can get a policy which allows strong cryptography while taking advantage of the pattern recognition internet communications make so easy. New media create new opportunities and new techniques. The FBI seems sadly stuck in the industrial age and copper wire taps. Pathetic, actually. Are they brain dead and incapable of a single new or original thought? They are fighting the war with yesterdays tools, ideas and techniques. How do they expect to win. The NSA knows this full well.

Please see the essay on this topic at:

<http://www.penfield-gill.com/presentations/whatsnew.html>

June 5, 1998: Alternative Cryptography Policy Options by Dr. Phillip Hallam-Baker

Executive Summary: Declare Victory The demand for enterprise key recovery systems is now recognized independently of government pressure. Commercial key recovery systems are now available and to this extent the administration can fairly claim that its stated goals have been realized. Further pressure is unnecessary and counter-productive.

Reviewers from agencies across the river and a former Trusted Information Systems senior manager agree that the essay is an accurate reflection of the situation today. It is well vetted.

BTW, we counted the rivets on Marine One as you flew from the Walden Pond events to the airport. You flew very low directly over our house in Medford. We waved.

Best regards,

7-23-98
To Burkhardt +
for Reply.
yes

Jock

PS: I trust you can get to the web these days? ;-)

--

Jock Gill.
jgill@penfield-gill.com
www.penfield-gill.com

F A X

Eaves Law Firm
101 North State Street

'98 JUL 23 PM 7:06

To: Mrs. Nancy Hernreich, The White House
Company:
Fax number: +1 (202) 456-6703
Business phone:

From: Robert Dillard
Fax number: attyjae@gte.net@+1 (601) 355-0530
Business phone: 601-335-7961
Home phone:

Date & Time: 7/22/98 11:54:17 AM
Pages: 3
Re: National Tobacco Settlement

Dear Mrs. Hernreich:

As you are aware, the President and I have corresponded regularly on several important public issues. Considering the dwindling time in which we have to enact significant, comprehensive tobacco legislation to protect America's children, I would sincerely appreciate your passing the attached letter along to the President as soon as possible.

Sincerest and best regards,

HIRAM EASTLAND

To Dan B for reply.
BC Sig.

Coord with Elena

Thm

HIRAM EASTLAND
EASTLAND LAW OFFICES

101 NORTH STATE STREET
JACKSON, MISSISSIPPI 39201

(601) 355-7961
Fax: (601) 355-0530

July 22, 1998

President Bill Clinton
The White House

Re: Historic Bipartisan, New Democrat Type Efforts Needed to Enact Comprehensive Tobacco Legislation

Dear Mr. President:

Once again the partisan gridlock politics of Washington have converged to halt historic legislation that strikes at the very core of American progress.

As you are aware, the opportunity for the enactment of comprehensive bipartisan legislation to prevent teen smoking provided by the national tobacco settlement can save millions of Americans from the addiction, disease, and death caused by tobacco.

Various elite and special interests from the left and right have nevertheless converged to suck the lifeblood out of this historic opportunity to dramatically improve America's public health and quality of life. This is all the more unacceptable when you consider the billions and billions of dollars this unnecessary intrusion upon America's public health costs American resources that could be saved or better spent on other more healthy, worthwhile, and productive endeavors.

It is time for the American politic to come to its senses in a reasoned, logical, bipartisan approach to this legislation that will not allow the rightwing demagoguery of Big Tobacco or the elitist approach of some interests on the left to rob America of this tremendous opportunity to save millions of lives and billions of dollars.

It is time to focus the art of politics on the possible and on America's real public health and away from the right and leftwing demagoguery that has plagued this critical public health issue.

It is a perfect time for New Democrats to advance and showcase a reasoned bipartisan approach to timely disentangling this critically important public health debate.

While to be sure there are also other extremely important public health measures pending before the Congress, I would nevertheless urge you, in all due respect, to continue to aggressively work with the budgetary process and those members in the Senate that are continuing to attempt to work out a timely, more reasoned, DLC type bipartisan approach that will seize this important public health opportunity.

This is likewise a perfect time for the New Democrat Coalition in the House and more moderate Republicans to showcase a more reasoned, comprehensive and bipartisan approach that exposes the lack of substantive leadership that has characterized the House on this issue to date and that exposes the all powerful influence of Big Tobacco that has permeated that so-called legislative body on this issue to date.

President Bill Clinton
July 22, 1998
Page 2

It is not too late to turn Big Tobacco's attack on America's children and their demagogic attack on public reason into a Big Debacle. In all due respect, this historic opportunity to save lives and to substantially improve the quality of life in America demands historic bipartisan, New Democrat type leadership - and America's children deserve no less.

I am, as always, your loyal friend and my God bless and strengthen you in this critically important endeavor.

HIRAM EASTLAND

HE/rcd

7/22
mogfa
Dan

7/21

7/22 AM 11:36
PHI 7-
7/22 PM 5:05

I think this is
educational/historical enough
don't object - as long
as limited to inside book/no
advertising.

What do you think?

TO:
Meredith
67984

I'd be interested
to know how
often it would be
used in the book - all the way
throughout? or just once?
Phil

PHI 7-

I'm told

① they want to use
a golf ball w/ the
Seal (not the WH -
just FYI)

② It would be a
photo in the book,
not a continuing
graphic.

continued from previous page

We can craft the
permission to limit them
to this. Meredith

P.S. Under the exec
order + crim law
covering the Seal,
I'd have to grant
permission based on
educational/historical
value of using the Seal.
I interpret "educational"
+ "historical" broadly
as long as it's not pure
commercialism. (i.e. no
promotional reproduction)

Your thoughts?

7/23

Meredith.

I think it's a stretch to claim
a book by Callany is not commercial
but I don't object to a
one-time use.

Phil

FAX TRANSMISSION

FAX: 202-456-6218

'98 JUL 23 AM 11:33

To: Meredith Cabe

Date: July 21, 1998

Fax #: 62146

Pages: 2, including this cover sheet.

From: Daniel Wexler

Thanks for your help.

CALLAWAY GOLF MEDIA VENTURES, LLC

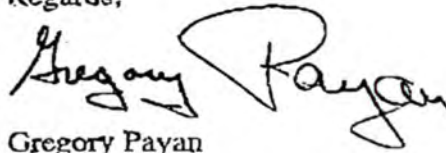
July 20, 1998

Mr. Dan Wexler
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20501

Dear Mr. Wexler,

I spoke with you last week regarding the possibility of acquiring a golf ball with the White House logo on it, similar to the one that President Clinton gives out. Once again, I am a photo editor for Callaway Golf Media Ventures, a publishing company that will be producing a series of 18 golf books over the next four years. These books will be superior in writing, design and photography to any books ever produced on golf. In our first book, we are doing a feature on presidential golf and would greatly appreciate getting one of these golf balls in house so that our design staff may use it in their layouts as a graphic element for this story. We will gladly pay a nominal fee for your time and for the shipping of the ball. Please call me if you have any further questions about this request. Thank you for your time.

Regards,



Gregory Payan

THE PRESIDENT HAS SEEN

7-22-98

THE WHITE HOUSE
WASHINGTON

July 17, 1998

MR. PRESIDENT:

The attached Lew/Sperling memo asks you to approve actions to assist farmers in need. If you approve, you will announce these initiatives in your radio address.

Background. Erskine convened a meeting yesterday with Secretary Glickman and your senior advisers. The group agreed on a three-part strategy that: (i) uses your executive authority to boost farm incomes; (ii) seeks legislation to provide additional help to farmers; and (iii) develops FY 2000 budget proposals to enhance the farm safety net.

✓ || **Executive Action.** Your advisers propose that USDA use its existing authority to purchase 2M tons of wheat, and possibly other commodities, for donation to countries like Indonesia, Ethiopia, and Sudan. The \$300M cost would not require offsetting because the action comes under existing authority.

Legislation. Your advisers recommend \$500M in emergency assistance to farmers in the form of 3 programs: (1) Supplemental Crop Insurance Benefits -- would benefit 50,000 farmers and avoid market intervention (\$400M the first year); (2) Crop and Pasture Flood Compensation -- would pay farmers the rental value of flooded land (\$40-60M/yr); (3) Livestock Feed Losses Disaster Reserve -- would replenish the reserve fund that provides feed and livestock assistance for losses caused by natural disasters (\$15M the first year).

~~Views.~~ *All of your advisers, including Erskine, John, Maria, and Rahm support these recommendations.*

Approve ☒

Disapprove ☐

Discuss ☐

Sean Maloney 

copied
Lew
Sperling
Bowles

THE WHITE HOUSE
WASHINGTON

July 17, 1998

IF PRESIDENT HAS SEEN

7-22-98

MEMORANDUM FOR THE PRESIDENT

FROM: Jacob J. Lew/Gene Sperling *GBS*

SUBJECT: Agricultural Assistance Actions

The Chief of Staff chaired a meeting yesterday, July 16th, with Sec. Glickman, your senior economic advisors and representatives from the Department of State and the Agency for International Development to discuss actions the Administration can take to assist farmers in need. The group agreed on a three-part strategy: use aggressively administrative authorities to take short-term actions boosting farm income; seek legislation to provide additional short-term assistance; and, for the long term, address weaknesses in the farm safety net through proposals that do not spend the surplus to be included in your FY 2000 Budget.

This memo provides detail on the short-term actions and legislative proposals the group agreed upon yesterday.

Administrative Actions

(This is the topic of your radio address.)

The group agreed to take significant administrative actions, based on three principles: assistance should address the problem of repeated disasters and reduced farm income, without distorting the market; assistance should be linked to international humanitarian assistance; and, if possible, we should use our actions as an opportunity for trade policy advocacy.

On the basis of these principles, the group agreed to use long-standing authority granted to the Secretary of Agriculture to purchase U.S. commodities to use for international humanitarian food relief. This authority has been rarely used, most recently in 1985. This action will assist both U.S. farmers who face current low wheat and corn prices and a surplus of crops, as well as those around the globe who face food shortages and hunger.

The Secretary will use his authority under the 1948 Commodity Credit Corporation (CCC) Charter Act to purchase about 2 million metric tons of wheat, and possibly other commodities, for donation to potential recipient countries including Indonesia, Ethiopia, and Sudan.

The cost of the commodity purchases and transportation overseas could be as much as \$300

million. Because the action will be taken using existing authority, offsetting budgetary savings are not necessary.

Legislative Proposals

The group agreed that legislation is necessary this year to provide approximately \$500 million in emergency assistance to farmers and ranchers, and would recommend it be provided through the three programs described below. You had indicated support for Senator Conrad's amendment in your meeting with Members Wednesday and in the letter you sent that day, and this amendment was approved by the Senate yesterday during consideration of the FY 1999 Agriculture Appropriation Bill. In the discussion of his amendment, Senator Conrad referred to the three elements of the Administration's recommendation as the basis for what should be done.

Senator Conrad's amendment provides \$500 million in emergency funds, subject to your emergency designation and release, through replenishing a USDA disaster reserve account. The uses of the funds described in the amendment are very general: "to make cash payments...for income loss" among crop and livestock producers. At Senator Conrad's request, Secretary Glickman sent him a letter just prior to the amendment's consideration that stated USDA would implement the three programs below.

Therefore, our strategy to see that emergency legislation is adopted as soon as possible is to ensure Sen. Conrad's amendment is adopted in conference on the FY 1999 Agriculture Appropriation Bill. We will be working with him and others in Congress to see that the final product conforms as closely as possible to the programs we have recommended.

The three recommended programs are:

- Supplemental Crop Insurance Benefits. A new supplemental crop insurance payment would be made to farmers who have had losses sufficient to trigger regular crop insurance indemnity payments in three out of the last five years (on the condition that the indemnity payment was greater than the insurance premium paid by both the farmer and USDA). This option builds on the crop insurance program, which the Administration has repeatedly said represents a fundamental fabric of the farm safety net. It also avoids market intervention while providing assistance to areas in greatest need. It would benefit about 45,000-50,000 farmers at a cost of about \$400 million in the first year, and substantially less thereafter.
- Crop and Pasture Flood Compensation. Payments would be made to farmers and ranchers whose crop or pasture land is under standing water (a problem particularly in certain parts of the Dakotas). They would receive payments equal to the rental value of the land each year the land is flooded. It would cost about \$40-60 million annually.
- Replenish the Disaster Reserve for Livestock Feed Losses. This would replenish with

USDA-held forfeited grain a fund used over the last two years to provide emergency feed and livestock assistance to cover and prevent losses due to natural disasters. The 1996 Farm Bill limited the disaster reserve to about \$60 million in resources; these resources are now almost exhausted and there is no authority to replenish the fund. The program has been of particular help in getting feed to cattle after blizzards in the Dakotas, New Mexico and the Midwest, but has also aided livestock producers in New York and California. The cost would be about \$15 million for the first year.

Looking Ahead

You will be hearing more from us on the long-term options to address weaknesses in the farm safety net as part of the FY 2000 budget process. For example, one option we are reviewing is Representative Minge's proposal to allow producers to choose between receiving "Freedom to Farm's " fixed individual (AMTA) payments and uncapped loan rates for the producers' crops placed under USDA's marketing loan program. It would provide a limited retreat from the 1996 Farm Bill; however, it is not yet clear how many farmers might be interested in the tradeoff or what the proposal might cost.

7-23-98

THE WHITE HOUSE
WASHINGTON

July 22, 1998

MR. PRESIDENT:

Attached for your approval are letters to Reps. Greenwood and Hoyer on partial birth abortion legislation (Tab A).

Tomorrow, the House is scheduled to vote to override your October, 1997 veto of H.R. 1122, the partial birth abortion ban. Reps. Greenwood and Hoyer have previously introduced legislation, which you have supported, that would ban the procedure except in cases affecting the health or life of the mother. Though they cannot bring their bill to the floor, their proposal will highlight the fact that there is a reasonable alternative to H.R. 1122 that you support, which would ban late term abortions with appropriate exceptions. As you know, it is likely that the House will override your veto.

Elena Kagan drafted the attached letter, with comments from John Podesta, Maria Echaveste and Rahm. You sent a similar letter last year (Tab B). The idea is to frame the debate on favorable terms, especially as the issue moves to the Senate. *If you approve, please sign the letters.*

Phil Caplan

Sean Maloney 

Copied
Kagan
COS
Emanuel
Podesta
Echaveste
Klein

THE WHITE HOUSE

WASHINGTON

July 22, 1998

The Honorable James C. Greenwood
House of Representatives
Washington, D.C. 20515

Dear Representative Greenwood:

I am writing to express my concern over Congress's intention to override my veto of H.R. 1122, the so-called partial birth bill, rather than to pass the legislation I have called for to prohibit this procedure except when necessary to save the life of the mother or prevent serious harm to her health. In taking this approach, Congress is jeopardizing the safety of women and using this painful issue as an opportunity to score political points, rather than to pass appropriate legislation.

The procedure addressed in H.R. 1122 poses a difficult and disturbing issue. I strongly believe that we generally should prohibit the use of this procedure. I have insisted, however, on exempting those few but tragic cases in which this procedure is necessary to save a woman's life or to protect her against serious injury. I again call upon Congress to add such a narrow, tightly drawn exception to this bill, so that I can sign the legislation and put an end to all other uses of this procedure.

As you know, I have long opposed late-term abortions regardless of the procedure used, and as Governor of Arkansas, I signed into law a bill that banned them, with an appropriate exception for the life or health of the mother. The legislation that you have sponsored with Representative Hoyer -- which prohibits all late-term abortions, except those necessary to save the life of a woman or prevent serious harm to her health -- is consistent with my principles. If Congress were to pass your bill, I would sign it immediately.

Congress's refusal to consider such constructive proposals -- proposals that would put an end to inappropriate abortions while protecting women from death or serious injury -- prevents us from resolving these issues and moving forward. Similarly, Congress's recent votes restricting safe medical choices and access to family planning information and services stand in the way of progress on these issues. I urge Congress once again to move beyond ideology and political maneuvering, to protect women's lives and health, and to reduce the need for abortions.

Sincerely,

Bill Clinton

THE WHITE HOUSE

WASHINGTON

July 22, 1998

The Honorable Steny Hoyer
House of Representatives
Washington, D.C. 20515

Dear Steny:

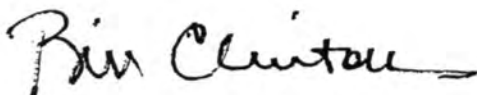
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Sincerely,

A handwritten signature in black ink, reading "Bill Clinton". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

THE WHITE HOUSE

WASHINGTON

March 19, 1997

Dear Steny:

I am writing to express support for your bill to prohibit late-term abortions. I would sign this bill if Congress were to pass it in its current form.

As you know, I have long opposed late-term abortions, and I continue to do so except in those instances necessary to save the life of a woman or prevent serious harm to her health. When I was Governor of Arkansas, I signed a bill into law that barred third-trimester abortions, with an appropriate exception for life or health.

Your bill contains an exception that will adequately protect the lives and health of the small group of women in tragic circumstances who need an abortion performed at a late stage of pregnancy. At the same time, your bill prohibits any late-term abortions performed for reasons not related to the health or the life of the mother. This balance is an appropriate one which I -- and, I believe most Americans -- would gladly make the nation's law.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Clinton", with a stylized flourish at the end.

The Honorable Steny Hoyer
House of Representatives
Washington, D.C. 20515