

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	[Personally Identifiable Information] [partial] (2 pages)	07/00/1998	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
Caplan, Phil (Chron Files)
OA/Box Number: 12809

FOLDER TITLE:

Monday, August 17, 1998

2019-0803-S

rs3533

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

1

Chiron $\rightarrow$

OCCIDENTAL PETROLEUM CORPORATION
10889 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90024
(310) 208-8800

DR. RAY R. IRANI
CHAIRMAN OF THE BOARD
AND
CHIEF EXECUTIVE OFFICER

August 13, 1998

8-17-98
TO NSC FOR
REPLY?
YES 

'98 AUG 17 AM 11:46

The President
The White House
Washington, DC 20500

Dear Mr. President:

I was pleased to have had the opportunity to see you again in Los Angeles earlier in the week. As always, your remarks were powerful and impressive.

You will recall that we discussed the possibility of an official visit to Washington by His Excellency Ali Abdallah Saleh, President of the Republic of Yemen. I would strongly support such a visit and I encourage your staff to give serious consideration to it for several reasons. Senator George Mitchell, who also believes that an invitation should be extended to President Saleh, has spoken directly with Sandy Berger concerning this matter.

The Republic of Yemen has been an important ally to the United States, under the leadership of President Saleh. Yemen has made countless positive contributions to regional stability, it has taken courageous measures with its economic reform program and, Yemen has demonstrated a clear commitment to democratic principles and institutions. In fact, in 1997, international observers declared Yemen's parliamentary elections as substantially free and fair. In many ways, Yemen has served as a model for its neighbors and the region.

The Republic of Yemen, over the years, has provided many U.S. investors, including Occidental Petroleum, with an open and fair investment environment. Several major U.S. companies are presently operating in Yemen and I am confident that others will soon follow. Yemen has also demonstrated a willingness to receive new American investors and the commercial opportunities are substantial both inside and outside of the energy sector. Just last month, Occidental announced a major new investment in Yemen, demonstrating a long-term commitment and confidence in President Saleh and the country which he so ably leads. Yemen is among Occidental's best operations and is a very important country to us.

The President
August 13, 1998
Page 2

Thank you for your consideration. Please give my very best wishes to Mrs. Clinton. I hope that you and your family have a pleasant and restful holiday.

With best personal regards,

A handwritten signature in cursive script, appearing to read "Ray".

Dr. Ray R. Irani
Chairman of the Board
And
Chief Executive Officer
Occidental Petroleum Corporation

THE WHITE HOUSE
WASHINGTON

August 17, 1998

TO: BOWLES
PODESTA
ECHAVESTE
SOSNIK
BEGALA
EMANUEL
LEWIS
MCCURRY

Here are the comment line totals
as of noon today. Updates to
follow.

Sean Maloney



THE WHITE HOUSE COMMENT LINE

Monday, August 17, 1998

9:00 a.m. through 12:00 p.m.

THE WHITE HOUSE COMMENT LINE		
<i>Issues</i>	<i>Support</i>	<i>Oppose</i>
President's Performance*	971	157
First Lady's Performance	71	9
"President Should Resign"	48	2
"President should give an address to the American People"	7	6
President's Requirement to Testify before the Grand Jury	12	48
Independent Counsel Kenneth Starr+	12	132
Monica Lewinsky	8	60

26 White House Comment line operators took calls this morning. AT&T told us that they could not give us a breakdown of how many calls we received this morning.

*Many of the callers were women. The calls were very emotional. Many of the callers were crying while they were expressing their support for the President. Almost all of the callers said that they were praying for the President. Some callers read the prayers that they had written for the President, and the CL Operators were struck by the sincerity of the callers. Many noted that their priests/ministers led their congregations in prayers for the President, lit candles for the President yesterday.

Most of the supporters separated the President's work and success as a president from his private life.

Many callers wanted to speak to the President personally to offer their advice, which included things like "stay strong" and "don't make any concessions."

+Callers were critical of Starr's "witch hunt" which is a "waste of taxpayers' money." "Ken Starr should be punished." "Ken Starr should be fired." "Congress should have put a stop to this long ago." "This is all political, and it will come back to haunt them (Republicans)."

If you have any questions you may contact Judithanne Scourfield at x65443 or Carrie Street at x65487.

THE PRESIDENT HAS SEEN
8-17-98

✓ (D)

Item Executed on Your Behalf -- following the bombings in Africa, OPM and Cabinet Affairs prepared, and I approved on your behalf, the standard Executive memorandum that you have issued to your cabinet in times of national tragedy (*e.g.*, following the Oklahoma City bombing); the directive urges the heads of departments and agencies to excuse from duty, without charge to leave or loss of pay, any government employees who may be affected by the bombings or who may be needed for security, relief, or recovery efforts; because the bombings occurred in Africa, the directive is largely symbolic.

✓ (E)

Berger Memo on GI Bill Proposal -- you asked Sandy about a WH Fellow's proposal to double GI Bill benefits to improve military recruitment; Sandy responds that the highway bill you signed in June contained a 20% increase in such benefits; DoD, OMB, and the VA believe you should wait a while before proposing further increases; DoD is also supporting an amendment to the Higher Education Act that would guarantee that universities and colleges cannot count GI Bill tuition as income for purposes of making financial aid decisions; this would help-ensure that GI Bill benefits do not limit other forms of tuition assistance.

✓ (F)

Congressional Correspondence forwarded by Janet Murguia -- (1) **Note from Sen. Max Cleland** -- says July 23 was a big day for him; he started it with you on the golf course and ended it with you at the Lionel Hampton reception; "Wow!"; (2) **Note from Sen. John Glenn** -- thanks you for the birthday note; says, "until we have a cure for the common birthday, it's great to be remembered by friends;" (3) **Note from Rep. Xavier Becerra** -- says of your meeting with the Hispanic Caucus, "you treated us like friends and we left knowing we had a friend at the White House. Thank you for knowing our issues and demonstrating a commitment to work with us on them;" (4) **Note from Rep. Allen Boyd** -- enjoyed playing golf with you; your "coaching" inspired him to start playing again; his 13-year-old son was very excited to meet you; you have the country on the right track; don't let your detractors discourage you; (5) **Note from Rep. Lois Capps** -- thanks you for your generous contributions to Walter's memory; without your loving support, she would not have been able to get through this difficult time; (6) **Note from Rep. John Dingell** -- says the China photo album is a treasure that he will always cherish; many thanks; (7) **Note from Rep. Elizabeth Furse** -- "John and I send our very best wishes and love to you and Mrs. Clinton. You are both magnificent and we thank you for all you do for all of us;" (8) **Note from House Sergeant-at-Arms Livingood** -- thanks you on behalf of the Capitol Police Board for all of your support during this period of mourning on Capitol Hill.

✓ We have also received the following items:

- ✓ **CIA/State Dept. Report on Iraq's Humanitarian Situation from Sandy** -- says this white paper is being distributed here and in the Middle East as part of our public diplomacy; *on file in our office.*
- ✓ **Speech by Director McCaffrey** -- forwards remarks he made to the World Affairs Council in San Diego on August 4; gives an overview of southwest border counter-drug efforts; *on file in our office.*

THE WHITE HOUSE

WASHINGTON

July 27, 1998 THE PRESIDENT HAS SEEN

8-17-98

'98 JUL 27 09:30

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM:

SAMUEL BERGER 

SUBJECT:

Proposal to Reinvigorate the GI Bill

You asked for my comments on White House Fellow Mark Montgomery's recommendation that GI Bill benefits be doubled to improve the military's ability to recruit quality people.

The GI Bill has proven to be a highly successful recruiting tool. It is valued by the Department of Defense and the Services and has strong support in the Congress. The 1997 DOD biannual report to the Congress on the GI Bill concluded that it is attracting quality people to the military.

The Transportation Equity Act for the 21st Century, which you signed into law on June 9 of this year, contained a provision increasing GI Bill benefits 20 percent. Although the Services would support a further increase, DOD concurs with OMB and the Department of Veteran's Affairs (GI Bill is part of the VA budget) that we should wait a year or two and observe the impact of the 20 percent increase before proposing a further increase to the Congress. DOD is closely tracking GI Bill participation (currently 96 percent of new recruits enroll) as part of its effort to address the recruiting and retention challenges being experienced by the Services.

The DOD biannual report on the GI Bill identified one problem that the Congress is addressing in an amendment to the Higher Education Act. DOD found that, contrary to the intent of the GI Bill, many colleges and universities are counting GI Bill tuition as income when making financial aid decisions for veterans. The amendment, which is strongly supported by DOD and VA, would explicitly prohibit that practice, providing veterans assurance that their GI Bill benefits will not limit other tuition assistance.

Attachment

Tab A Memorandum from Mark Montgomery

cc: Vice President
Chief of Staff

Withdrawal/Redaction Marker

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Copied
Berger
wwdesk
Bowles

usc
What about
this? - Corp?
Rc

Mark C. Montgomery/
W4 FWW

7-14-78

(b)(6)

MEMORANDUM FOR THE PRESIDENT

Proposal: Reinvigorate the G.I. Bill

Background: One of the great success stories in government investment was the implementation of the G.I. Bill following World War Two. This educational funding brought an unprecedented level of social and economic mobility to our returning troops and significantly improved the educational background of the American work-force, increased the size and wealth of the middle class, and helped jump start the economy out of its post WW II recession.

Today's high-tech military requires smarter, more technically skilled and educated troops than ever before. However, this requirement exists at a time when the military's ability to attract quality recruits is most difficult. The lack of a credible threat, the perception of limited opportunities due to a draw down in troop strength, and the increasing availability of college to all high school students, have all reduced the quality of recruits in all the services. The current monetary benefit of the G.I. Bill, about \$15,000, is insufficient to fund four years of college and is an inadequate inducement to interest high quality recruits.

Plan: Reinvigorate the G.I. Bill by doubling the value of a four year enlistment from \$15,000 (\$1,200 from the servicemember) to \$30,000 (\$2,400 from the servicemember). This would provide a significant incentive to attract the quality recruits that the military needs. By increasing the member's monthly contribution of \$100 per month from 12 months to 24 months we also encourage the servicemembers to save more and invest in their own futures.

Benefits:

- (1) The military will attract significantly more higher quality recruits.
- (2) Educational opportunities for lower and middle class high school graduates will increase when these students will see this program as an affordable way to attend college.
- (3) The quality of students entering college will improve. With four years of military experience and discipline, veterans have a documented higher college graduation rate.
- (4) The military services will achieve improved minority recruitment results.
- (5) Like its predecessor, the program will serve as an investment in our country's economic future; taking aggressive, over-achieving lower and middle class Americans, providing them with discipline and maturity, paying for their college education, and then releasing them into the work force.

Mark C. Montgomery,

(b)(6)

Costs: Assuming a doubling of G.I. Bill full beneficiaries (50,000 per year) and an increase in cost to the government of \$15,000 per student, this program will cost 750 million per year. Funding can come from a number of sources: military recruitment programs, military personnel programs, or current educational scholarship programs (since this is basically an investment in our educational system as well).

Mr. President, an invigorated G.I. Bill will promote the greatest of American liberties, social and economic mobility. And in doing so, this program will be of interest to Democrats, Republicans and all those who recognize the value in investing in our educational system and in improving the quality of our military service recruits.

THE WHITE HOUSE

WASHINGTON

August 15, 1998

THE PRESIDENT HAS SEEN

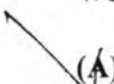
8-17-98

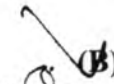
MEMORANDUM FOR THE PRESIDENT

FROM: SEAN MALONEY 

SUBJECT: Recent Information Items

We are forwarding the following recent information items:

 (A) **Mark Gearan Memo on Death of Peace Corps Volunteer** -- Last Wednesday, armed robbers shot and killed a 32-year-old Peace Corps volunteer, Robert J. Bock of Chincoteague, Virginia, in a roadside robbery in the Philippines; nine Filipinos were also shot; police have arrested a suspect and are pursuing several others; a Peace Corps representative will attend the funeral; Mark has notified the appropriate congressional offices; *we sent a condolence letter on your behalf.*

 (B) **Ruff/Weiner Memo on the Vacancies Reform Act** -- you asked whether this measure, which has been approved by the Senate Government Affairs Committee, would restrict your current authority; the answer is yes; currently you can use the Vacancy Act to designate acting officials for up to 120 days or while a nomination is pending; under DOJ's "non-exclusive" interpretation of the Act, agency heads have authority under their agencies' organic statutes to name acting officials outside the Vacancy Act time limits; the reform bill would make a number of changes: it would make the Vacancy Act the only way to appoint acting officials; it would apply to all PAS positions; it would permit only a first assistant to be named to an acting position, and first assistants who have been on the job less than six months could not be named acting if also nominated to a post; the 120-day period would be extended to 150-days, but if you failed to name someone within that time the office would remain vacant; because of these provisions, Erskine has conveyed a senior adviser's veto threat.

 (C) **Berger/Jackson Memos on Deportation of Liberians** -- Sandy responds to your question about helping Liberians in the U.S. who will face automatic deportation when their Temporary Protected Status (TPS) expires on September 28, 1998; State believes that Liberia is now safe enough to require Liberians to return; Senator Reed has attached a provision to the Senate-passed Commerce, State, Justice Appropriations bill that would extend the Liberians' TPS for another year; we have told Reed that we will not oppose it; should Reed's proposal fail, you could conceivably grant the Liberians Deferred Enforced Departure (DED) status, as you did for Salvadorans in 1993 and Haitians in 1997; but your advisers are split on this issue; Sandy attaches a memo from Jesse Jackson, who supports granting DED; *you will receive a decision memo on the issue in mid-September should Reed's proposal fail.*

THE WHITE HOUSE

WASHINGTON

August 8, 1998

98 AUG 31 5:28

INFORMATION

THE PRESIDENT HAS SEEN

8-17-98

MEMORANDUM FOR THE PRESIDENT

FROM:

SAMUEL BERGER (K) For

SUBJECT:

Deportation of Liberians in the United States

Copied
Berger
Bowles

You asked if we can help Liberians in the United States who face automatic deportation when their temporary legal status expires on September 28, 1998.

BACKGROUND

The Attorney General has statutory authority to grant Temporary Protected Status (TPS) to certain nationals in the United States who have fled situations of civil war, natural disaster or danger. She first granted TPS to Liberians on March 27, 1991, and has extended such status until recently. The Immigration and Naturalization Service (INS) estimates that approximately 8,000 Liberians in the United States now benefit from TPS.

In March, the Attorney General announced that TPS for Liberians would expire on September 28, 1998. That decision was based on a recommendation from the Department of State that conditions in Liberia are now sufficiently safe to permit Liberians to return. (Moreover, State is now providing significant funding to voluntary repatriation programs for over 500,000 Liberian refugees in Africa and believes that a further extension of TPS would be inconsistent with and could detract from those efforts.)

The Liberian Ambassador, NGOs and others are nonetheless urging you to delay the Liberians' deportation because of the continuing fragility of the situation in Liberia.

Senator Jack Reed (D-RI) successfully attached a provision to the Commerce, State, Justice Appropriations Bill that would extend TPS for Liberians for one year. Although we did not think we could support this provision in light of the Attorney General's decision to terminate TPS, White House Legislative

cc: Vice President
Chief of Staff

Affairs indicated to Senator Reed that we would not oppose it. The Senate has now passed that bill with Reed's provision in it.

OPTIONS IF LEGISLATIVE RELIEF FAILS

Deferred Enforced Departure (DED): If Reed's amendment extending TPS is unsuccessful, you have the authority under extraordinary circumstance to invoke our foreign policy interest to delay the deportation of certain nationals. You have used DED twice: in 1993 when you extended an initial grant of such status to Salvadorans by President Bush and, more recently, last December, by granting it to Haitians for one year.

Reverend Jackson supports a grant of DED for the reasons outlined in his memorandum (Tab A). Some at State agree with Jesse's view; others believe a grant of DED would run counter to our support for repatriation efforts in West Africa and would suggest that Liberians in the United States are in a different category than Liberians in West Africa. In addition, Justice has concerns about the use of DED in this case and might conclude DED is unavailable after a review of all the facts.

Public Education and Outreach: A less problematic option would be to make a concerted effort to educate Liberians who currently are protected by TPS about other forms of immigration relief for which they may be eligible. Many may be able to obtain permanent status or, at the very least, delay their deportation while their applications for such relief are considered.

NEXT STEPS

We will meet with State, Justice and other concerned White House offices to develop a firm recommendation for you on what we can and should do if Reed's amendment extending TPS is unsuccessful. We plan to have such a recommendation to you by mid-September so that you can act, if necessary, prior to the expiration of TPS.

Attachments

Tab A Memorandum from Reverend Jesse Jackson
 Tab B Your Question



National Office
930 East 50th Street • Chicago, Illinois 60615 • Phone: 773-373-3366 • Fax: 773-373-3571
Washington, DC Bureau
1002 Wisconsin Avenue, NW • Washington, DC 20007 • Phone: 202-333-5270 • Fax: 202-728-1192
Wall Street Bureau
40 Wall Street, Suite 429 • New York, New York 10005 • Phone: 212-425-7874 • Fax: 212-968-1412

MEMORANDUM

TO: President William Jefferson Clinton
Secretary of State Madeleine Albright

FROM: Reverend Jesse L. Jackson *JLJ*
Special Envoy for the Promotion of Democracy and Human Rights in Africa

RE: Request for Liberian Deferred Enforced Departure

DATE: August 3, 1998

Recommendation

I recommend that the U.S. government grant Deferred Enforced Departure (DED) status for the more than 8,000 Liberians in the United States whose Temporary Protective Status (TPS) expires on September 28, 1998. This recommendation is based on three principle assessments:

- **Ongoing Process of Peace Consolidation**

Having returned from a recent official visit to Liberia, I am pleased to report that under President Taylor's leadership, some steps have been taken to consolidate peace, both within and beyond its borders, and to develop its physical and economic infrastructure. However, Liberia has a long way to go and the country needs time to put in place mechanisms to ensure that returnees will be integrated securely into the socioeconomic and political life of the country.

- **Inadequate Macroeconomic Infrastructure**

Liberian repatriation is necessary for the sustained development of the country. However, in its current state the Liberian economy is not prepared to absorb a sudden influx of citizens, many of whom will be leaving skilled and secure jobs for almost certain unemployment. Given time to make the necessary macroeconomic reforms and to attract investment and development, Liberia will be greater prepared to take advantage of the skills and leadership that returnees have to offer.

- **Continued Need for Remittance Payments**

Currently, many Liberians living in the United States use their incomes to provide vital financial resources to relatives in Liberia. A cessation of this assistance would cause further hardship for Liberians.

Conclusion

Liberia has the potential to serve as a beacon of hope for peace and stability in the region. As such, Liberia needs U.S. support, and DED is one form of assistance that we can extend as Liberians face the challenging process of post-war reconstruction.

opened 5446
Berger
NSC WW Desk
COS

ETHNIC OUTREACH

- **Middle East Peace Process:** The Arab American community is extremely upset over the lack of movement in the peace process. They encourage you to make one last effort to get the peace process back on track.

Sandy/US
Can't
help on
this? what
about
stay?
BJS

Deportation of Liberian citizens residing in the U.S: The Liberian Association of Metropolitan Atlanta sent you a letter informing you of concern that Liberia is not safe enough for return of Liberian citizens residing in the U.S. Approximately 15,000 Liberian citizens living in the United States are facing automatic deportation after September 28, 1998, due to the Temporary Protected Status (6 months TPS) granted by the Attorney General in March 1998. The Liberian Ambassador approached Ben Johnson in Atlanta requesting that you issue a stay on the deportation.

HEALTH CARE OUTREACH

- **Praise for your announcement on the initiative to improve the quality of nursing homes:** Your announcement was met with a favorable reaction, both from senior citizen's groups and the nursing care community.
- **Henney Nomination:** Dr. Jane Henney, the nominee for Commissioner of the FDA, was very well received when she met with 24 key women leaders from health organizations. In a round table discussion hosted by OPL, these leaders expressed that they very much want to help us with Dr. Henney's nomination.

HISPANIC OUTREACH

- **Puerto Ricans March on July 25th to mark the 100th Anniversary of the U.S. Invasion of Puerto Rico:** A series of marches will be held on July 25th to commemorate the 100th anniversary of the invasion of Puerto Rico by U.S. military forces. The marches will focus primarily on Puerto Rico's unresolved political status. The Administration's Interagency on Puerto Rico has recommended the White House release a Presidential Message that reiterates your position regarding the ability of the Puerto Rican people to choose their status. Some of the demonstrations will also address the issue of the release of the 15 Puerto Rican political prisoners. White House Counsel's office has been working with the Justice Department to determine whether anything can be done regarding their release.
- **Concerns over Spouse Reunification:** OPL hosted a meeting with the DPC for the Association of Americans for Spouse Reunification to discuss the organization's concerns over the denial of visitor's visas for spouses of legal residents. Spouses, who currently have applications for permanent residency pending, have been denied visitor's visas at

THE WHITE HOUSE

WASHINGTON

August 15, 1998

THE PRESIDENT HAS SEEN

8-17-98

MEMORANDUM FOR THE PRESIDENT

FROM: SEAN MALONEY 

SUBJECT: Recent Information Items

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 (A) **Mark Gearan Memo on Death of Peace Corps Volunteer** -- Last Wednesday, armed robbers shot and killed a 32-year-old Peace Corps volunteer, Robert J. Bock of Chincoteague, Virginia, in a roadside robbery in the Philippines; nine Filipinos were also shot; police have arrested a suspect and are pursuing several others; a Peace Corps representative will attend the funeral; Mark has notified the appropriate congressional offices; *we sent a condolence letter on your behalf.*

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THE WHITE HOUSE

WASHINGTON

August 11, 1998

THE PRESIDENT HAS SEEN

8-17-98

MEMORANDUM FOR THE PRESIDENT

FROM: Charles F.C. Ruff 
Robert N. Weiner

RE: Vacancies Act

1988 AUG 11 COPIED
Ruff
Weiner
Bowles

The Cabinet Weekly Report for June 20-26 advised you about S.2176, the Vacancies Reform Act of 1998, approved by the Senate Governmental Affairs Committee. You asked whether this Act would restrict your current authority. The answer is yes.

Currently, if an agency head or Senate confirmed official in a Cabinet Department dies, resigns, or is unable to serve, you can designate the first assistant to act in that position for up to 120 days or while a nomination is pending. Because you can make anyone first assistant before temporarily promoting them, you have flexibility in designating who is acting.

The Justice Department has long interpreted the Vacancies Act as "nonexclusive." Agency heads thus can use their "organic statutes" to designate acting officials, outside the Vacancies Act time limits. For example, one organizing statute for the Justice Department vests all powers of the Department in the Attorney General, and a second authorizes her to delegate those powers at her discretion. 28 U.S.C. §§ 509, 510. We used that authority to make Bill Lee Acting Assistant Attorney General.

The proposed Act would make the following changes:

1. The Vacancies Act essentially would be the only way to appoint acting officials.
2. The Vacancies Act would apply to virtually all Senate confirmed positions. Currently it does not apply to positions below the agency head outside the Cabinet Departments.
3. Only the first assistant could be designated an acting official (unless you detailed another Senate confirmed official to the post, creating another vacancy). And a person who had been first assistant less than 6 months could not be acting if also nominated to the post.
4. The 120-day deadline would be extended to 150 days (240 days at the beginning of a new President's term). But if you failed to nominate someone within that time, the office would have to remain vacant, and no one but the agency head could perform any nondelegable duties of the vacant office.

Because this Act could seriously interfere with the ability of the Executive Branch to do its job, the Chief of Staff has conveyed a senior advisers veto threat.

Summary of Weekly Cabinet Reports

Items of Interest

June 20 - 26, 1998

Department of Justice

p. 3 Vacancies Act: Does this restrict President's present authority?

DEPARTMENT OF JUSTICE

7-7-98

- **Driver's Privacy Protection Act:** On June 9, a judge declared the Driver's Privacy Protection Act unconstitutional. The Act generally requires States to restrict access to "personal information" contained in their motor vehicle records. The Judge found the Act unconstitutional under the Commerce Clause, because it "commandeers" the States in violation of the Tenth Amendment.
- **Japanese Latin Americans Internment:** On June 12, the U.S. and five plaintiffs representing Japanese Latin Americans interned during World War II reached a settlement providing former internees \$5,000 in symbolic compensation and a Presidential letter of apology. Plaintiffs had sought redress under the Civil Liberties Act of 1988, which provides redress to Japanese American citizens and permanent residents who had been interned.
- **ADA:** On June 15, the Supreme Court held unanimously that the Americans with Disabilities Act (ADA) applies to inmates in State prisons.

• **Vacancies Act:** On June 17, the Senate Governmental Affairs Committee approved a bill which would specify which individuals could be appointed on an "acting" basis to jobs requiring Senate confirmation and would set a 150-day limit on their tenure as "acting." Unless a permanent nomination is submitted, the post would be vacated after 150 days. Additionally, the bill would set a 240-day limit on filling vacancies during a transition between Administrations. This legislation would clarify that all executive branch positions not explicitly governed by other statutes would fall under the Vacancies Act.

• **Sexual Harassment:** On June 22, the Supreme Court ruled that a school is not liable for damages for sexual harassment of a student where the school did not have notice of that harassment. DOJ argued that a school district may be liable under Title IX when the school district knew or should have known of the harassment, or when the teacher's position was critical to his ability to harass the student. The Court rejected that position, finding the school not liable for damages.

DEPARTMENT OF INTERIOR

- **Indian Gaming Meeting:** On June 23, Secretary Babbitt presided over a meeting of representatives of Indian Tribes, State Governors and State Attorneys General and DOJ. The topic was whether common ground was possible on the impasse in the compact negotiation process to the Indian Gaming Regulatory Act created by the Supreme Court's decision in the Seminole case. The Seminole decision held unconstitutional the IGRA's provision that allowed tribes to sue states for failure to bargain in good faith over gaming compacts. The parties agreed further discussions might be useful with the goal of consensus amendments to the Act for submission to Congress.

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THE PRESIDENT HAS SEEN

8-17-98

THE WHITE HOUSE

WASHINGTON

August 15, 1998

MR. PRESIDENT:

Attached are the following weekly reports:

- (A) CEA Weekly Economic Briefing
- (B) Update on Emerging Markets
- (C) DPC Report
- (D) CEQ Report
- (E) OSTP Report
- (F) Communications (Vacation Message Schedule)
- (G) Public Liaison Report
- (H) Intergovernmental Report
- (I) PIR Report/Franklin Report on 5/19 Board Meeting
- (J) Cabinet Affairs Report
- (K) Political Report/Current Political Outlook

Sean Maloney



Tab C - copied pages 1 & 2 to
Reed, Kagan, Bowles

Tab E - copied pages 1 & 2 to
Lane, Bowles

Tab F - copied page 1 to
Lewis, Bowles,

Tab G - copied page 1 & 3 to
moore, Bowles

Tab I - copied page 4 to
Winston, Bowles, Echaveste



ONE AMERICA IN THE 21ST CENTURY

The President's Initiative on Race

THE PRESIDENT HAS SEEN

8-17-98

The New Executive Office Building
Washington, D.C. 20503
202/395-1010

August 12, 1998

*This is a
rough draft
of the report
on the
initiative report.*

The Honorable William J. Clinton
The White House
Washington, D.C. 20503

Dear Mr. President:

I am writing on behalf of your Advisory Board on Race to report on our May 19 meeting, which was held at George Washington University in Washington, D.C., and which focused on issues of race in the administration of justice. The primary purpose of the meeting was to examine how race may affect people's experiences with and perceptions of our criminal justice system. The meeting included keynote remarks from Attorney General Janet Reno, who spoke about the importance of building trust and confidence in our criminal justice system across racial lines. The Attorney General discussed several federal law enforcement efforts that are working to improve relations and reduce crime in communities of color. The meeting also included a factual overview by Christopher Stone, Director of the Vera Institute of Justice in New York, who presented available data on racial disparities in crime and the administration of justice. A copy of Mr. Stone's presentation is attached for your information.

The main part of the meeting consisted of a roundtable discussion with criminal justice experts, moderated by Professor Charles Ogletree of Harvard Law School. The following scholars and practitioners participated in the discussion:

- William Bratton, Former Commissioner, New York City Police Department;
- Zachary W. Carter, U.S. Attorney for the Eastern District of New York;
- Maria Jimenez, Director, Immigration Law Enforcement Monitoring Project, American Friends Service Committee;
- Randall Kennedy, Professor, Harvard Law School;
- Deborah Ramirez, Professor, Northeastern University School of Law;
- Charles Ramsey, Chief of Police, District of Columbia Police Department;
- Kim Taylor-Thompson, Professor, New York University School of Law;
- William Wilbanks, Professor, Florida International University;
- Michael Yamamoto, Partner, Horikawa, Ono & Yamamoto; and
- Robert Yazzie, Chief Justice, The Navajo Nation.

*Copied
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Echeveste*

THE WHITE HOUSE
WASHINGTON

THE PRESIDENT HAS SEEN
8-17-98

August 14, 1998

MEMORANDUM FOR THE PRESIDENT AND THE VICE PRESIDENT

FROM: MINYON MOORE

SUBJECT: OFFICE OF PUBLIC LIAISON WEEKLY REPORT (August 10-August 14)

ACTIONS SUPPORTING PRESIDENTIAL INITIATIVES

- **Patients Bill of Rights:** Your Patients Bill of Rights event in Louisville generated much enthusiasm from those present. OPL distributed information on the event to all of our constituency groups, including religious, African American, Hispanic, Asian Pacific American, ethnic, and women's organizations.
- **School Safety:** Planning for the School Safety Conference is fully underway. A working group has been meeting regularly and was expanded this week to include representatives from all WH Offices. Meanwhile, the National School Boards Association is joining state Attorneys General in planning a joint venture on school safety. They plan to hold a press conference on September 2 to promote gun-free school zones.
- **INS Reform:** The National Immigration Forum (NIF) issued a press release on August 7 commending your work and leadership in pushing for the much-needed INS reform. While NIF strongly opposes the increase in user fees, they are pleased that the Administration recognized the problems in the naturalization program. Asian Pacific American leaders are also pleased with the additional targeted funding as an important first step in addressing the backlog of cases.
- **Africa Trade Bill:** OPL hosted a briefing for trade advocates to discuss the importance of delinking Fast Track from the CBI and Africa Trade bill. Secretary Daley reminded the group that Fast Track remains a priority on the Administration's trade agenda, but cautioned the supporters against trying to pass it this year. Fast Track supporters, unhappy over Secretary Daley's comments, indicated they would like the Administration to continue to push Fast Track this year in the hopes that something could be worked out in conference.

CONSTITUENT OUTREACH AND OTHER ISSUES

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potential advancement.

- **Census:** The APA community is actively working on educating community leaders on the importance of sampling and the census. Community leaders have expressed a concern that Asian American subcategories (e.g. Chinese, Japanese, Korean, etc.) may be eliminated.

EDUCATION OUTREACH

- **National School Modernization Day:** OPL, NEC and the Department of Education hosted a briefing for education groups and supporters of school construction to encourage their participation in the National School Modernization Day. We also briefed them on the forthcoming Baby Boom Echo Report, which will be released in conjunction with the day's activities. We have already received commitments from education groups for over 100 events in 40 states.

HISPANIC OUTREACH

- **Hispanic Education Action Plan:** OPL hosted a briefing for young Latina students to discuss your Hispanic Education Action Plan and ways to decrease the Hispanic dropout rate.

GAY/LESBIAN OUTREACH

- **Religious Liberties Protection Act:** OPL, DPC, White House Counsel, and Justice Department attorneys met with leaders of the gay and lesbian civil rights community to discuss the Religious Liberties Protection Act (RLPA). Gay rights activists are concerned that RLPA, in its current form, may allow individuals to use their religious beliefs as a defense for discriminatory behavior towards homosexuals. The community would like Congress to amend the bill to exclude coverage in civil rights claims. The meeting included representatives from the LAMBDA Legal Defense and Education Fund, the ACLU Gay and Lesbian Civil Rights Project, and the Human Rights Campaign, among others.

JEWISH OUTREACH

- **Swiss Banks Settlement:** Swiss banks agreed to a \$1.25 billion settlement with Holocaust survivors, closing a chapter in the history of Holocaust-era restitutions for unclaimed assets. The payments, which are scheduled to begin this fall, will be given in three installments over the next three years.

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WASHINGTON

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August 14, 1998

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MEMORANDUM FOR THE PRESIDENT

FROM: ANN LEWIS *Ann*
SUBJECT: VACATION MESSAGE SCHEDULE

This memo lists policy announcements and recommended events for the next three weeks, including options for you, radio addresses, and scheduled events for the Vice President and members of the Cabinet.

Presidential Options

Following are announcements you could make during your vacation. Some of these policy announcements could take place on or off Martha's Vineyard, or as radio addresses.

*Should we ask
Helen
Garnett
Helen? Helen
Lia Allen*
Announcement of Police Corps Grants

Massachusetts will receive \$730,000 in Police Corps funding for the first time. The Police Corps concept is associated with Robert Kennedy. Senator Edward Kennedy, Kathleen Kennedy Townsend and other family members could be invited to participate. This announcement could take place in either Revere or Lawrence, MA (both cities are receiving new COPS funding) or on Martha's Vineyard.

If you decide not to make this announcement, the Vice President will do it, probably in Maryland during the first week of September.

• **Climate Change Event**

This announcement would focus on a release of an EPA/DOE report on industry efforts to curb emission of greenhouse gases voluntarily. The event could take place at Woods Hole Oceanographic Institute in Massachusetts, or at an environment-friendly site in New Hampshire.

• **New Hampshire Economic Event**

The theme of this event would be economic renewal, the success of your economic policies and the essential role your Administration has played in shepherding successful economic policy. The event could include companies such as PC Connection in Milford, NH; the owner is a businesswoman who participated in the 1993 Little Rock Economic Conference and her company has grown considerably since then.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

August 14, 1998

THE PRESIDENT HAS SEEN
8-17-98

MEMORANDUM FOR THE PRESIDENT

FROM: NEAL LANE *James T. Lane*
CC: ERSKINE BOWLES
SUBJECT: OSTP WEEKLY REPORT

*Copied
Lane
Bowles*

New Analysis of Satellite Temperature Measurements Finds Warming

A major study published in *Nature* magazine this week (summary attached) seriously undermines the principal scientific argument used by global warming skeptics. The skeptics claim that the short-term satellite temperature record shows cooling. The new analysis corrects for satellite orbit decay and concludes that this record actually shows a global warming trend of 0.07 degrees Centigrade per decade. This finding brings the satellite-based temperature trends closer to the warming trend seen in the 118-year surface-based temperature record. This work, along with other recent analyses of the satellite measurements, is beginning to change the debate to the question of how much warming we have seen -- not whether it is occurring. So far, the story has been written up in *The New York Times* and *the Washington Post*, as well as being the subject of UPI, Associated Press and AAP wire stories. It was also featured on the August 12 edition of NPR's "All Things Considered."

Data Too Preliminary to Justify Link Between Pollution and Precipitation on East Coast

Based on a recent article in *Nature* magazine (summary attached), the popular media has attributed rainy weekends on the East Coast to weekly cycles of ozone and carbon monoxide pollution. This assertion is premature. The authors found that Saturday precipitation rates in coastal areas are on average "22 percent higher than Monday precipitation" and hypothesized that this pattern is consistent with eastward transport of pollution that builds up during the workweek. However, the authors have only a statistical correlation. They hint at a possible cause/effect mechanism, saying that fine particulate air pollution traps heat, stimulates convection, and leads to storm activity, but the evidence to support this hypothesis is lacking. Analysis of longer-term records would be needed to confirm this proposition.

Media Supports Action on Climate Change

The *Boston Globe* highlighted the failure of Congress to support your energy efficiency budget initiatives (editorial attached). They praised the efforts of a group of large companies that have joined the environmental leadership council of the Pew Center on Global Climate Change and pledged to take action to reduce emissions and increase efficiency. Writer Molly Ivins focused

8-17-98

her Austin *Star-Telegram* column today (attached), which is syndicated in more than 200 papers around the country, on the failure of the media to adequately cover the climate side of this summer's weather story. She stated that "the media are doing so poorly on this issue that it's an embarrassment to the profession," and pointed out that the media's failure to distinguish between the climate skeptic's industry-funded PR campaign and legitimate science is creating a false perception that there is a serious scientific debate over the reality of climate change.

DOE Wins 34 R&D 100 Awards -- DOC, NASA, and the Army Also Winners

Each year R&D Magazine issues the R&D 100 Awards, recognizing the 100 most technological significant new products and processes of the year. Department of ~~Energy-funded~~ researchers have won 34 of the 100 awards given this year. Their work ranges from developing a biopesticide made from cereal grains, to an ultrahard, nearly frictionless coating for car engines. The U.S. Army was also recognized for a portable airpower device for safely digging up landmines and (along with NASA) for devices that provide accurate surface temperature measurements in hostile environments. The Department of Commerce got an award for a monitor that maintains the image quality of scanning electron microscopes. Fourteen of the government awards were for work done in cooperation with the private sector, which speaks well for our partnership programs.

American Teams Perform Admirably in International Physics and Chemistry Olympiads

The five-member American team earned one silver medal, one bronze medal, and two honorable mentions at the Physics Olympiad in Reykjavik, Iceland last month. More than 265 high-school students from more than 55 nations participated. The top-performing teams were from China, Russia, Iran, Poland, and Korea. Overall the U.S. team was in the top quartile. The four-member American team captured four medals at the Chemistry Olympiad, also held last month, in Melbourne, Australia. Two of the American high school students won gold medals, achieving the 2nd and 6th highest scores among the 184 competitors from 47 nations. The other U.S. team members earned silver and bronze medals. Olympiad competitions involve challenging theoretical (pen and paper) and practical (experimentation) problems.

Wp:cu
Reed
Kagan
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THE WHITE HOUSE
WASHINGTON

August 15, 1998

THE PRESIDENT HAS SEEN

8-17-98

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

SUBJECT: DPC Weekly Report

1. Tobacco -- Legal Update: As you know, a Fourth Circuit panel invalidated the FDA's tobacco rule yesterday, holding (2-1) that the Food, Drug, and Cosmetic Act does not give the FDA authority to regulate tobacco products. The Justice Department immediately decided to seek review of the decision by the en banc Fourth Circuit. Those knowledgeable about the Fourth Circuit think we have about a 50 percent chance of obtaining en banc review. If the Fourth Circuit rejects the petition for an en banc rehearing, the Justice Department will file a petition for certiorari in the Supreme Court.

The industry's settlement talks with the states are scheduled to resume on August 24th, but some believe that the industry may decide not to return to the table. The latest gossip is that a serious split has developed between Philip Morris and R.J. Reynolds, with the former still preferring to reach a resolution, but the latter inclined to take its chances in court. (RJR apparently now believes that PM is using the settlement talks to gain a competitive advantage over the rest of the industry.) The next case scheduled to go to trial (on September 14th) is Washington State's, which everyone considers to be in very bad shape.

In the event that the states do reach a settlement with the tobacco companies, we will have to decide how much money to claim as the federal government's. As you recall, the federal government is entitled on average to 57 percent of the monies collected by the states in Medicaid recoupment actions. The Justice Department has developed a theory under which the federal government could make a claim for even more -- in fact, for every penny that the states collect from the tobacco companies. The Department, unfortunately, has failed to develop a similarly creative theory under which we could relinquish our claim to this money in exchange for the states' commitment to use it for specified purposes (e.g., tobacco control programs or child care). The Department currently believes that we would need Congressional approval to effect such a bargain.

The Justice Department continues to doubt -- but still (at least ostensibly) to consider -- the viability of bringing an action against the industry for the tobacco-related costs incurred by federal health programs. We understand that Justice Department staff will brief the Attorney General on this issue this coming Friday. The Civil Division currently has many reservations about bringing such a suit, but its most essential claim is that the federal

8-17-98

government can sue the companies only for the harm suffered by each individual (and named) Medicare beneficiary (an essentially impossible proposition), rather than for the costs incurred by the entire Medicare program. Professor Larry Tribe of Harvard Law School called the Attorney General on Friday to dispute this conclusion (he is sure that the federal government has an independent claim for tobacco-related costs, existing separate and apart from any individual beneficiary's claim for damages), but we do not yet know how their discussion went. (Our own view is that neither the Civil Division nor Tribe should be so certain about this question; the answer is not nearly as clear as each would have it.) The Antitrust Division has just begun to look at potential claims against the industry, based on an alleged conspiracy to refrain from producing a safer cigarette, but fears that the federal government may not have legal standing to bring such an action. Professor Einer Elhauge, also of Harvard Law School, has written Joel Klein a memo urging that the federal government does indeed have standing to bring suit against what he terms "the most socially destructive antitrust conspiracy of the century." We will continue our discussions with the Justice Department on these questions.

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2. Tobacco -- Counteradvertising Event: We are planning an event for September where you can announce a new national effort to promote tobacco counteradvertising, thus showing once again that you are taking every action within your power to reduce youth smoking while Congress dallies in passing comprehensive legislation. At the event, you could designate the Center for Disease Control's Media Campaign Resource Center as a National Clearinghouse on Tobacco Counteradvertising, and direct HHS and CDC to: (1) collect and disseminate a package of the "top-10" advertisements for preventing youth smoking, and make these available free of charge to states and organizations for television placement; (2) work with the Department of Education to make effective anti-tobacco curricula available to every school; and (3) conduct research on what media interventions are most successful in preventing youth smoking.

3. Crime -- Police Corps/COPS: We are preparing an event that you can do while on vacation or in September that focuses on educating and hiring law enforcement officers. At this event, you could announce new Police Corps grants totaling over \$30 million, of which about half will fund scholarships for students. Included in the grant recipients are six states that have not previously participated in the Police Corps program. Because Massachusetts is one of these new states and because the Police Corps program is closely associated with the Kennedys (first Bobby and now Kathleen), we are working to involve the Kennedy family. At the same time, you could announce \$10 million in COPS Small Community Grants to help 855 small and rural law enforcement agencies (serving populations under 50,000) defray the costs of retaining current COPS-funded officers, and \$75 million in COPS Universal Hiring Grants to hire over 1,000 community police officers in 237 jurisdictions, including 12 school resource officers for Jonesboro, Arkansas.

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4. Crime -- Early Warning Guide: We are working with the Departments of Justice and Education to complete the Early Warning Guide to school violence that you recently directed Secretary Riley and the Attorney General to develop; we should be ready to announce

THE PRESIDENT HAS SEEN

8-17-98

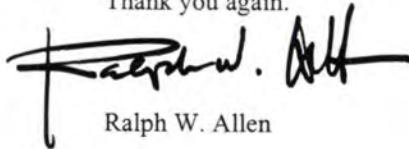
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John
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Dear Mr. President:

Thank you in advance for reviewing this small book. I wrote the "THE SHANGHAI CHILDREN'S MEDICAL CENTER: BRINGING THE DRAGON TO LIFE" for the express purpose of facilitating communications in our complex cross-cultural development team. It worked, as is evidenced, in the facility that is beginning operations this June 1, 1998: "Children's Day" in China.

The finished facility is the culmination of over eight years of work on the part of Project HOPE and their partner, The Shanghai Second Medical University. It is a remarkable example of achieving advanced goals through a common vision and cooperation that spans extreme geographic and cultural differences. I hope that you will be able to include this unique and important facility on your upcoming tour of China. We all look forward to receiving you in the very near future.

Thank you again.


Ralph W. Allen

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~~Stephanie~~ Civiva
Stephanie
John
Nancy
Erskine



June 1, 1998

DIRECTOR

Dear Nancy,

One of Nancy Nash's camp followers in China sent me this book to forward to the President before the China Trip.

Acknowledgement letter should be sent to;

over

Ralph Allen

C/ CORKE AMENTO INC.

810 THIRD AVENUE Suite 615

Seattle, Washington 98104-1620

Thanks Nancy

Mari

EXPORT-IMPORT BANK OF THE UNITED STATES
811 VERMONT AVENUE, N.W., WASHINGTON, D.C. 20571

Nancy Hernandez