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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 2, 1996

REMARKS BY THE PRESIDENT
IN VETO OF PRODUCT LIABILITY BILL

The Oval Office

2:43 P.M. EDT

THE PRESIDENT: Good afternoon. Before I make the announcement I invited you here for today, I want to congratulate the Department of Justice on the success of the Zorro 2 antinarcotics operation that Attorney General Reno announced a couple of hours ago today.

Zorro 2 targeted a Mexican-run cocaine smuggling and distribution network in the United States and the Colombian cartel with which it worked. It dismantled both the organization that owned the cocaine and the organization that ran the transportation system, locking up more than 100 individuals across the country, seizing almost 6,000 kilograms of cocaine and a thousand pounds of marijuana.

Critical to the success of this multistate operation which is a part of our southwest border initiative was the cooperation of over 40 state and local police agencies, the DEA, the FBI and several other federal agencies all across the country. They combined their resources and their expertise to take down this extensive drug organization.

Today's arrests are another big victory in the fight against illegal drugs, the fight to keep them off our streets and out of the hands of our children. On behalf of the American people I want to thank our law enforcement officers for a job well done.

Today I am returning to Congress without my signature the product liability legislation sent to me this week. I take this step because I believe this bill tilts against American families and would deprive them of the ability to recover fully when they are injured by a defective product.

I am eager to sign legislation to make our legal system work better at less cost in a fair way. But this bill would hurt families without truly improving our legal system. It would mean more unsafe products in our homes. It would let wrongdoers off the hook. I cannot allow it to become law.

One of my duties as President is to protect the health and safety of our people. Parents should know the toys their children play with are safe. Families should know the cars they drive will not explode upon impact. Our grandparents have a right to know the drugs and the medical devices they use will not injure them. It is a hallmark of our system of justice that when a product produces injury or death a family has the right to try and recover its losses. And if someone endangers the health of the public, the or she should be held responsible. I believe we can protect these rights even as we curb frivolous lawsuits.

Let me be clear: We do need legal reform. America's legal system is too expensive, too time-consuming, and does -- does -- contain too many frivolous lawsuits.

MORE

As Governor of Arkansas, I signed several tort reform bills into law. In 1994, I signed legislation in this room to limit the liability of aircraft manufacturers in what I thought was a reasonable and prudent way. We've worked hard to lift the burden of regulation and red tape from business. We cut 16,000 pages of federal rules, giving a break to small businesses and working for results. I believe we can help the business community in this country without hurting ordinary Americans. But any legal reform must be carefully crafted so that the interest of consumers and businesses are fairly balanced.

For a year I tried to work with Congress to write such a balanced bill. I made it very clear what I would accept in such legislation and what I could not support. When the United States Senate passed product liability legislation, it was clearly an improvement over a much more extreme House bill. I still had a couple of objections to it, which I made very clear. And I expressed the hope that in the conference we could resolve those objections so that a bill would be sent to me that I could sign.

Instead, in the conference, the bill moved back toward the House bill in a couple of respects, and perhaps even worse, included some things which were not included in either the Senate or the House bill, but, as too often happens in Washington, were put into the final conference version.

This bill is opposed by the American Cancer Society, the Heart Association, the Lung Association, Mothers Against Drunk Driving, and our friend, Sarah Brady -- where is she, behind me -- and the Handgun Control people. It is opposed by every major consumer and senior citizen group. It is opposed by state legislators and state judges. I'm proud to be joined today by the Attorney General of Mississippi, Mike Moore, who opposes it. These are mainstream, Main Street groups, and I believe they are right.

The legislation would make it impossible to recover fully for noneconomic damages. This is especially unfair to senior citizens, women, children who have few economic damages and poor people who may suffer grievously, but because their incomes are low have few economic damages. It would arbitrarily cap punitive damages which are paid by a corporation that has engaged in egregious conduct, such as knowingly making or selling the public a dangerous product. A cap on punitive damages can reward wrongdoers and diminish the deterrent impact of punitive damages.

And if a jury, for example -- and many juries are being asked to consider this today -- should ever issue a finding that tobacco companies have been not truthful with their customers, this legislation would limit the ability of juries to impose punitive damages on those companies.

And in a provision added in the conference, the legislation would bar the courthouse door to some consumers altogether if they are unlucky enough to be hurt by a product that is 15 years old, even if it's supposed to last more than 15 years. That is the case with two of the people who are in this room today. In the worst provision added to the conference, it would bail out a gun dealer, for example, who knowingly sells a felon a gun, or a bar owner who knowingly sells a drunk another beer before he or she hits the road. And I might say, that is why Sarah Brady is here today.

This was supposed to be a product liability bill. This provision has nothing -- I reiterate -- nothing to do with the manufacture of products that subsequently prove defective and injure people. It shouldn't even be in this bill, and that is probably why it was put in at the 11th hour in the conference without any hearing in the Senate or the House.

I should also point out that there has been a lot of talk in this Congress about the importance of giving responsibilities back to the states. That apparently does not apply to laws relating to the civil justice system. This bill overrides the laws of all 50 states, in spite of the fact that 40 of the 50 states in the last 10 years have acted on their own to reform the tort laws, and more than 30 of them have acted in the area of product liability.

So it seems that the Congress is willing to override state laws if they conflict with this bill -- but only, I might add, if the state laws are more favorable to the consumers. Now, if the state laws are less favorable to the consumers than this bill they can stand.

This legislation is arcane, complex; it has a lot of legalisms and loopholes in it. But the real fact is it could have a devastating impact on innocent Americans who can presently look to our system of justice for recovery. Several of them are with me today.

Janey Fair lost a daughter when her school bus burst into flames because the manufacturer wouldn't install an inexpensive safety measure. The bus was hit by a drunk driver with no money. Because she could rely on joint and several liability she could bring a lawsuit. This is the sort of thing that would be changed as it relates to noneconomic damages in this law.

The problem is that children have hardly any economic damages. They're not out there earning money. Poor people may have just as much life expectancy left as you or I, but their economic damages would not be as great, no matter how great their human loss.

Carla Miller was left with her children after her husband was killed when his tractor rolled over. Jeanne Yanta lost the ability to have children after she used a contraceptive that the manufacturer knew was dangerous. Every one of these people is a hard-working American citizen who is law-abiding, tried to do the right thing by their families. Every one would have been prevented from fully recovering for their losses, or in some cases, those who committed civil wrongs would escape full punishment if this bill were to become law.

I continue to believe that if we were to work together in a bipartisan and open fashion we can craft the right kind of legal reform. I am still willing to do it. Congress knows well my specific positions. If it will send me a balanced bill that cuts back on frivolous lawsuits while being fair to families, that gives manufacturers more predictability but doesn't bail out real wrongdoers, I would sign such a bill without hesitation.

But this bill does not do that. And because of the changes that were made in the Senate bill moving away from rather than toward the specifics that I asked for, and because of things that were put into the conference that were not even a part of the House bill, much less the Senate bill, I have no choice but to veto it. And that is what I have done today.

Q Mr. President, I'm sure you've heard that the Republicans are heaping criticism upon you, saying this veto is a payback to the Trial Lawyers Association whose members have contributed heavily to your reelection. Your response?

THE PRESIDENT: Well, I know they've said that. I think you should go back to them and ask them how they could justify depriving Americans who are just like these people of the right to recover for their injuries. And ask them if they really believe that our economy is so fragile that we have to strip from these people the

right to be made whole in order to continue to make our economy go forward.

Just today, we learned that in the last quarter our economy grew at 2.8 percent. We have the lowest unemployment of any advanced economy in the world except for Japan. And many people believe as a practical matter it's even lower than that nation's. I do not believe that we have to have a legal system which shuts the door on the legitimate problems of ordinary people in order to get rid of frivolous lawsuits and excess legal expenses. And I think that we ought to ask those folks that.

You know, before I got into being an elected official, I taught law. I studied the Constitution. I have sat in courtrooms and seen the faces of people who come in there full of fear, full of uncertainty and full of their own hurts. And so it just seems to me that before they notch this one up as a special interest vote, I would just say two things: One is I made it clear that I would sign legislation that the Trial Lawyers Association did not agree with. I made that abundantly clear. I made my position clear. Two, what is their answer? Can they really look at these people in the face and say, boy, our economy needs it so badly that I don't want anybody who's like you in the future to be able to recover and be made whole the way you were.

And if they -- I'll be glad to have the special interest discussion with them if they first say, it is fine with me if these people, people just like these people in the future, cannot be made whole. They need to answer on the merits before they get to the accusations.

Q Your critics say that you're resisting cutting the gas tax. Is that accurate?

THE PRESIDENT: Well, first of all, I believe that the better tax cut for Americans is to give people a deduction for the cost of education after high school and to give them a deduction for the cost of raising their children. It's a lot more money. And it's for a more compelling reason.

The gas tax did not drive up the cost of gasoline. After the gas tax was put in and all dedicated to deficit reduction in 1993, gas continued to go down for a year. And we have taken steps to bring the price of gasoline down. We are moving aggressively on that, and it's beginning to work.

Now, if the Congress wants to repeal the gas tax, then it ought to be done -- I'll say again -- in the context of deficit reduction. They ought to come in here and we ought to figure out what our balanced budget plan is; we ought to put our common savings together; we ought to have a tax program -- a tax relief program -- that we can afford, and we ought to do it. I would be happy to talk with them about this.

But I think just to sort of out of the blue say we're going to add \$30 billion to the deficit instead of talking about what the best kind of tax relief for America's families is and how we're going to do it in the context of balancing the budget is not a responsible thing to do. But I'm happy to talk to them about it. But we have to do it, aware of its consequences and of the choices which it will impose upon us. And I think we ought to come in and start these budget discussions, and if they want that to be a part of it, it's fine with me. I'll be glad to talk to them. I'm not shutting the door on that.

Q Mr. President, in that vein, you've been keeping up pressure on Senator Dole now for at least a good week to come in here

and talk with you about the balanced budget. Why isn't that working would you say? How long are you going to keep --

THE PRESIDENT: Well, I don't know. You'd have to ask him that, because, if you remember, the first day I asked for them all to participate again, he suggested that the two of us ought to do it, and then through Mr. Panetta, I accepted. So I'm willing to meet with them under any circumstances and try to get -- I'll meet with him alone, I'll meet with the leadership, I'll meet with a bipartisan, broader group. I just think that we need to understand that whenever we have worked together, good things have happened.

You look at the -- we've got the telecommunications bill. We've got the terrorism bill. We got this year's budget. I would have signed a budget I signed last week on the first day of the budget year, six, seven months ago. We've got the bill on lobbying reform. Whenever we work together, we can still make good things happen, and we don't need a work stoppage here before the election. And we don't need bills just to be -- we don't bill, veto bill, veto bill, veto. We need to work together and pass legislation that I can sign and keep moving the country forward. Then we'll have conventions this summer and there will be lots of times for the campaign.

I'll take one more.

Q Mr. President, you just suggested you would not sign this bill in part because it would overrule the 50 state laws, but wouldn't any product liability reform overrule the --

THE PRESIDENT: Yes, it would. But I want to point out, it's different from like the securities law issue where, essentially, I approved the bill except for the changes that were made in the conference that nobody ever debated. And I made that clear. And that's an area of federal law.

There is a general feeling among people around the country that there are too many frivolous lawsuits. The only point I'm making is that the states have moved to try to address this. As a result of that, there have been 40 states that have acted in the area of tort reform. And I believe this is right, there may be more, but there have been at least 30 states that have specifically taken action in the area of product liability.

I just pointed out that it is ironic that the Congress which said that what it wanted to do was to give power away from the states, in this area wants to take the power away from the states. At least they want to take it away one way.

Yes, if you have any federal standards, they will, to some extent, erode state law. I'm prepared to do that to a limited extent to get rid of frivolous lawsuits. But I think we ought to be aware of the fact that this country has functioned pretty well for 200 years by being very reluctant to do that and letting the states handle that area of our law.

Now, in areas of national commerce, like the securities laws, the federal government has been very active. In other areas, the federal government hasn't been so active. So it just is another argument for being careful in this area.

It's not like the states have been asleep for the last decade. It's not like they never debated this, not like they never made any decisions. They've been quite active in this area. We can go further. I am prepared to do it. But I think -- I am just bringing it out as a reason for further caution.

Thank you very much.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

May 2, 1996

TO THE HOUSE OF REPRESENTATIVES:

I am returning herewith without my approval H.R. 956, the "Common Sense Product Liability Legal Reform Act of 1996."

I support real commonsense product liability reform. To deserve that label, however, legislation must adequately protect the interests of consumers, in addition to the interests of manufacturers and sellers. Further, the legislation must respect the important role of the States in our Federal system. The Congress could have passed such legislation, appropriately limited in scope and balanced in application, meeting these tests. Had the Congress done so, I would have signed the bill gladly. The Congress, however, chose not to do so, deciding instead to retain provisions in the bill that I made clear I could not accept.

This bill inappropriately intrudes on State authority, and does so in a way that tilts the legal playing field against consumers. While some Federal action in this area is proper because no one State can alleviate nationwide problems in the tort system, the States should have, as they always have had, primary responsibility for tort law. The States traditionally have handled this job well, serving as laboratories for new ideas and making needed reforms. This bill unduly interferes with that process in products cases; moreover, it does so in a way that peculiarly disadvantages consumers. As a rule, this bill displaces State law only when that law is more favorable to consumers; it defers to State law when that law is more helpful to manufacturers and sellers. I cannot accept, absent compelling reasons, such a one-way street of federalism.

Apart from this general problem of displacing State authority in an unbalanced manner, specific provisions of H.R. 956 unfairly disadvantage consumers and their families. Consumers should be able to count on the safety of the products they purchase. And if these products are defective and cause harm, consumers should be able to get adequate compensation for their losses. Certain provisions in this bill work against these goals, preventing some injured persons from recovering the full measure of their damages and increasing the possibility that defective goods will come onto the market as a result of intentional misconduct.

In particular, I object to the following provisions of the bill, which subject consumers to too great a risk of harm.

First, as I previously have stated, I oppose wholly eliminating joint liability for noneconomic damages such as pain and suffering because such a change would prevent many persons from receiving full compensation for injury. When one wrongdoer cannot pay its portion of the judgment, the other wrongdoers, and not the innocent victim, should have to shoulder that part of the award. Traditional law accomplishes this result. In contrast, this bill would leave the victim to bear these damages on his or her own. Given how often companies that manufacture defective products go bankrupt, this provision has potentially large consequences.

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(OVER)

This provision is all the more troubling because it unfairly discriminates against the most vulnerable members of our society -- the elderly, the poor, children, and nonworking women -- whose injuries often involve mostly noneconomic losses. There is no reason for this kind of discrimination. Noneconomic damages are as real and as important to victims as economic damages. We should not create a tort system in which people with the greatest need of protection stand the least chance of receiving it.

Second, as I also have stated, I oppose arbitrary ceilings on punitive damages, because they endanger the safety of the public. Capping punitive damages undermines their very purpose, which is to punish and thereby deter egregious misconduct. The provision of the bill allowing judges to exceed the cap if certain factors are present helps to mitigate, but does not cure this problem, given the clear intent of the Congress, as expressed in the Statement of Managers, that judges should use this authority only in the most unusual cases.

In addition, I am concerned that the Conference Report fails to fix an oversight in title II of the bill, which limits actions against suppliers of materials used in devices implanted in the body. In general, title II is a laudable attempt to ensure the supply of materials needed to make life-saving medical devices, such as artificial heart valves. But as I believe even many supporters of the bill agree, a supplier of materials who knew or should have known that the materials, as implanted, would cause injury should not receive any protection from suit. Title II's protections must be clearly limited to nonnegligent suppliers.

My opposition to these Senate-passed provisions were known prior to the Conference on the bill. But instead of addressing these issues, the Conference Committee took several steps backward in the direction of the bill approved by the House.

First, the Conference Report seems to expand the scope of the bill, inappropriately applying the limits on punitive and noneconomic damages to lawsuits, where, for example, a gun dealer has knowingly sold a gun to a convicted felon or a bar owner has knowingly served a drink to an obviously inebriated customer. I believe that such suits should go forward unhindered. Some in the Congress have argued that the change made in Conference is technical in nature, so that the bill still exempts these actions. But I do not read the change in this way -- and in any event, I do not believe that a victim of a drunk driver should have to argue in court about this matter. The Congress should not have made this last-minute change, creating this unfortunate ambiguity, in the scope of the bill.

In addition, the Conference Report makes certain changes that, though sounding technical, may cut off a victim's ability to sue a negligent manufacturer. The Report deletes a provision that would have stopped the statute of limitations from running when a bankruptcy court issues the automatic stay that prevents suits from being filed during bankruptcy proceedings. The effect of this seemingly legalistic change will be that some persons harmed by companies that have entered bankruptcy proceedings (as makers of defective products often do) will lose any meaningful opportunity to bring valid claims.

Similarly, the Conference Report reduces the statute of repose to 15 years (and less if States so provide) and applies the statute to a wider range of goods, including handguns. This change, which bars a suit against a maker of an older product even if that product has just caused injury, also will preclude some valid suits.

In recent weeks, I have heard from many victims of defective products whose efforts to recover compensation would have been frustrated by this bill. I have heard from a woman who would not have received full compensatory damages under this bill for the death of a child because one wrongdoer could not pay his portion of the judgment. I have heard from women whose suits against makers of defective contraceptive devices -- and the punitive damages awarded in those suits -- forced the products off the market, in a way that this bill's cap on punitives would make much harder. I have heard from persons injured by products more than 15 years old, who under this bill could not bring suit at all.

Injured people cannot be left to suffer in this fashion; furthermore, the few companies that cause these injuries cannot be left, through lack of a deterrent, to engage in misconduct. I therefore must return the bill that has been presented to me. This bill would undermine the ability of courts to provide relief to victims of harmful products and thereby endanger the health and safety of the entire American public. There is nothing common sense about such reforms to product liability law.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 2, 1996.

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for repy

IDENT HAS BEEN
THE WHITE HOUSE 5-2-96
WASHINGTON

Hi Mr President—
Am For a Emil Verban
Baseball luncheon—
was hoping to see
you or Hillary—
Sorry we missed you—
Everybody in Chicago
send their best

Regards
Harry Caray

Sorry I missed him—a living
legend—Sorry—Bx

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**"A VISIT WITH
PRESIDENT CLINTON"
MARCH 4, 1996**

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THE WHITE HOUSE
WASHINGTON

OFFICE OF THE STAFF SECRETARY

Fax Transmittal Sheet

TO: Martha Foley

Fax Number: 62271

Phone Number:

FROM: Todd Stern

SUBJECT: SS Res 53

DATE: 5/2/96

NUMBER OF PAGES (including cover sheet): 2

MESSAGE:

If all pages are not received, please call 202/456-2702

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STATEMENT BY THE PRESIDENT

Today I have signed into law Senate Joint Resolution 53 ("Resolution"). This Resolution makes technical corrections to Public Law 104-134, the "Omnibus Consolidated Rescissions and Appropriations Act of 1996" ("Act"), which I signed into law on April 26, 1996.

Two of the corrections merit comment.

The Resolution repeals two paragraphs relating to the Tongass National Forest, which were mistakenly not deleted when the operative language was moved to another section.

The Resolution also includes the repeal of section 21104 of the Act, which relates to international population assistance programs and which was inadvertently included in the Act. Nevertheless, I believe that the level of funding that the Congress has provided for FY 1996 for these programs remains inadequate, given the critical importance of these services to protecting the health of women, strengthening families, and preventing unwanted pregnancies and abortions. I regret that the House and Senate were unable to come to an agreement to lift the severe limitations placed on U.S. programs by the FY 1996 Foreign Operations appropriations act. It is my hope that the Congress will remove these limitations and provide full funding for these programs in the FY 1997 appropriations process.

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THE WHITE HOUSE,

MESSAGE CONFIRMATION

MAY-02-96 17:54

FAX NUMBER : 2024562215

NAME :

FAX NUMBER : 62271

PAGE : 02

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MODE : G3 STD

RESULTS : O.K

*Should NSC do a
letter?*

EXECUTIVE OFFICE OF THE PRESIDENT

96 APR 30 30-Apr-1996 08:59am
10:16

TO: CURRIE_B
FROM: CN=Joel Velasco/O=OVP

Nancy- fix

SUBJECT: FYI

Message Creation Date was at 30-APR-1996 09:03:00

In case you have not seen/heard, this may be of interest.

Siti Suharto, Wife of President, Dies of Heart Attack

JAKARTA, Indonesia (AP) Siti Hartinah Suharto, wife of Indonesian President Suharto, died of a heart attack early Sunday. She was 72.

The Indonesian first lady died at 5:10 a.m. at the military hospital Gatot Subroto in downtown Jakarta, palace officials told The Associated Press.

The official, who requested anonymity, could not provide further details, but said he expected there would be a national one-week period mourning to honor the first lady.

Hartina was born in August 1923 and is survived by six children three son and three daughters and a number of grandchildren.

Her husband, Suharto, a former army general, has been in power since 1968.

APNP-04-28-96 1203EST
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TO DO.
TO NSC for reply?
✓ yes — no

THE WHITE HOUSE
WASHINGTON

OFFICE OF THE STAFF SECRETARY

Fax Transmittal Sheet

TO: Chuck Keifer

Fax Number:

~~53729~~ 5 3729

Phone Number:

FROM: Todd Stern

SUBJECT: SJ Res S3

DATE: 5/2/96

NUMBER OF PAGES (including cover sheet): 4

MESSAGE:

If all pages are n

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The Resolution repeals two paragraphs relating to the Tongass National Forest, which were mistakenly not deleted when the operative language was moved to another section.

The Resolution also includes the repeal of section 21104 of the Act, which relates to international population assistance programs and which was inadvertently included in the Act. Nevertheless, I believe that the level of funding that the Congress has provided for FY 1996 for these programs remains inadequate, given the critical importance of these services to preventing unwanted pregnancies and abortions. I regret that the House and Senate were unable to come to an agreement to lift the severe limitations placed on U.S. programs by the FY 1996 Foreign Operations appropriations act.

THE WHITE HOUSE,

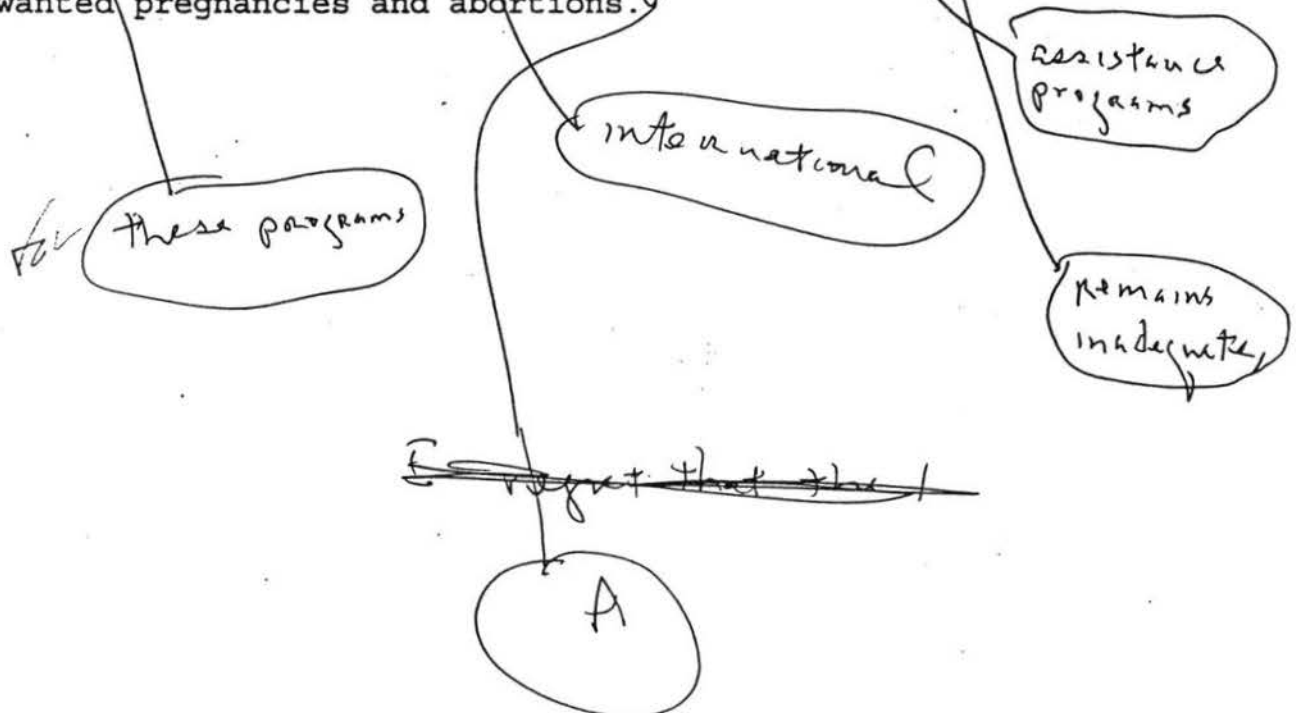
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The Resolution also includes the repeal of section 21104 of the Act, which relates to population planning and which was inadvertently included in the Act. Nevertheless, I do not believe that the level of funding that Congress has provided for FY 1996 ~~for international family planning services~~ is adequate, given the critical importance of these services to preventing unwanted pregnancies and abortions.



EXECUTIVE OFFICE OF THE PRESIDENT

02-May-1996 03:06pm

TO: Todd Stern

FROM: Tom Vellenga
Office of the Chief of Staff

CC: Martha Foley
CC: Barry J. Toiv

SUBJECT: signing statement - intl. fam. planning

Todd, having talked w/ Martha, OMB, State, & USAID, I'd recommend the following changes in the President's signing statement. (All 4 of the above support the gist of what I've proposed, though none has heard the exact wording.) (4th para. only -- additions in CAPS and deletions in brackets):

The Resolution also includes the repeal of section 21104 of the Act, which relates to INTERNATIONAL population ASSISTANCE PROGRAMS [planning] and which was inadvertently included in the Act. Nevertheless, I [do not] believe that the level of funding that Congress has provided for FY 1996 for THESE PROGRAMS [intl. family planning services] REMAINS INADEQUATE [is adequate], given the critical importance of these services to preventing unwanted pregnancies and abortions. I REGRET THAT THE HOUSE AND SENATE WERE UNABLE TO COME TO AN AGREEMENT TO LIFT THE SEVERE LIMITATIONS PLACED ON U.S. PROGRAMS BY THE FY 1996 FOREIGN OPERATIONS APPROPRIATIONS LEGISLATION.

Act

A

J

MESSAGE CONFIRMATION

MAY-02-96 16:57

FAX NUMBER : 2024562215

NAME :

FAX NUMBER : 53729

PAGE : 04

ELAPSED TIME : 01'27"

MODE : G3 STD

RESULTS : O.K

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 9-2

George
Martha
TO: Barry

FROM: Staff Secretary

OK with this?

Jack

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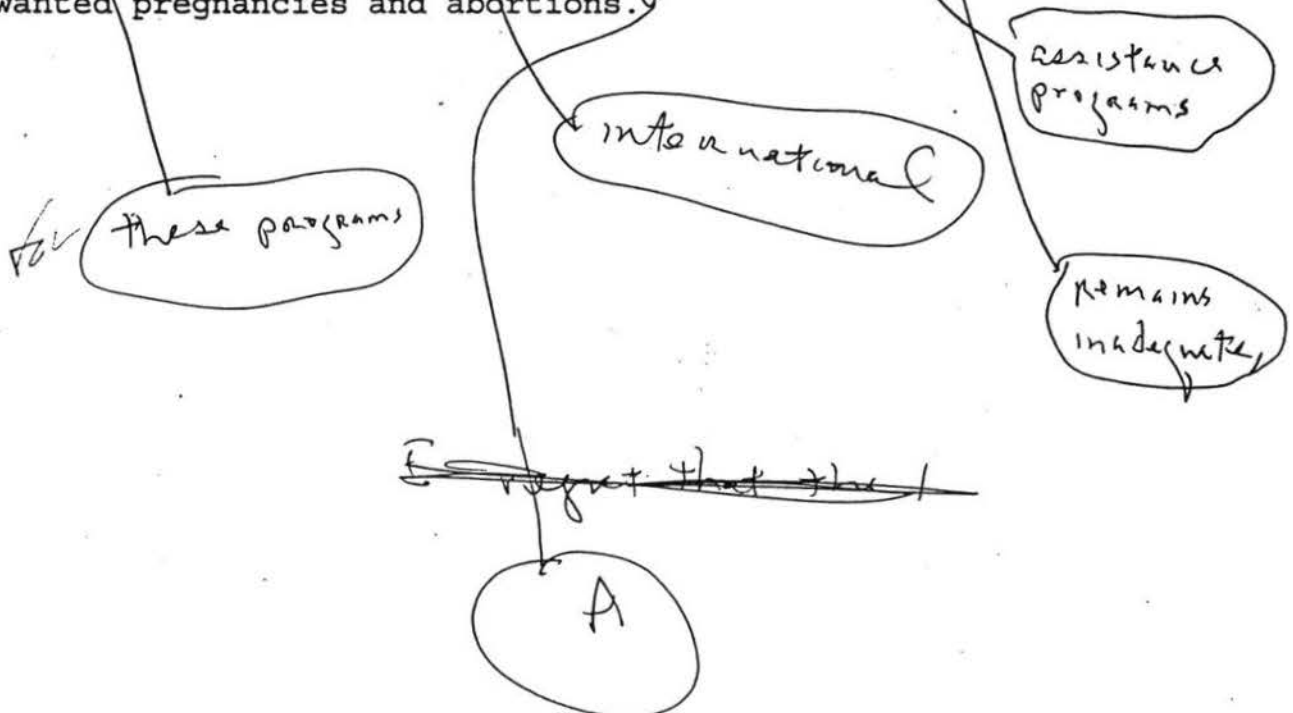
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EXECUTIVE OFFICE OF THE PRESIDENT

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CC: Barry J. Toiv

SUBJECT: signing statement - intl. fam. planning

Todd, having talked w/ Martha, OMB, State, & USAID, I'd recommend the following changes in the President's signing statement. (All 4 of the above support the gist of what I've proposed, though none has heard the exact wording.) (4th para. only -- additions in CAPS and deletions in brackets):

The Resolution also includes the repeal of section 21104 of the Act, which relates to INTERNATIONAL population ASSISTANCE PROGRAMS [planning] and which was inadvertently included in the Act. Nevertheless, I [do not] believe that the level of funding that Congress has provided for FY 1996 for THESE PROGRAMS [intl. family planning services]. REMAINS INADEQUATE [is adequate], given the critical importance of these services to preventing unwanted pregnancies and abortions. I REGRET THAT THE HOUSE AND SENATE WERE UNABLE TO COME TO AN AGREEMENT TO LIFT THE SEVERE LIMITATIONS PLACED ON U.S. PROGRAMS BY THE FY 1996 FOREIGN OPERATIONS APPROPRIATIONS LEGISLATION.

Act

J

A

5.2.96

THE WHITE HOUSE

WASHINGTON

96 MAY 11 P2: 26

April 30, 1996

MEMORANDUM TO THE PRESIDENT

FROM: LEON E. PANETTA

SUBJECT: RECOMMENDED STRATEGY ON LATE-TERM ABORTION ISSUE

1. **Strategy Meeting.** We held a meeting last Friday with relevant White House staff and Secretary Henry Cisneros to discuss the next steps of a political and communications strategy on the issue of late-term abortions. We focused particularly on the need to explain your position more clearly to the Catholic and religious communities most concerned about your veto of the legislation.

2. **Legislative Approach.** Our threshold recommendation is that we work privately with Senator John Kerry and Congressman Richard Durbin, who are now crafting new legislation that reflects your position -- i.e. a prohibition with exemptions to save a mother's life or to avert serious consequences to her health. Once such legislation is introduced, you can then call upon Congress to pass this bill and promise to sign it. The pendency of such a bill will make your position much more concrete and persuasive.

If you agree, I will review this proposed legislative strategy with Chris Dodd this week. We will then meet privately with Kerry and Durbin to ensure that their legislation comports with your position.

3. **Presidential Letter.** You have already reviewed the draft letter that persuasively sets forth your views on this issue. Our plan is to redraft the letter as a response to a letter inquiry from a non-Catholic religious leader (to be selected by Public Liaison). We will then release your letter to all media outlets, including Catholic and other religious media.

4. **Physician Support.** Because of the medical misinformation that appears to prevail, we identified a special need to develop a group of doctors who will publicly support your position. Public Liaison is working on this effort.

5. **Surrogates.** We will begin to bring in Catholic groups quietly to meet with high-level Administration officials, including me, Henry Cisneros and Mark Gearan.

6. ✓ **Catholic Press Outreach.** In addition to releasing your letter to Catholic media outlets, we are considering accepting an invitation for you to address the Catholic Press Association -- an organization representing more than 450 Catholic publications with a combined readership of over 25 million (out of 37 million Catholics). The average reader is our targeted Catholic voter, the educated middle-class woman.

✓ **Related Issues.** Finally, we discussed accelerating Administration efforts on related issues of interest to Catholics including (a) making more public your position on physician-assisted suicide; and (b) emphasizing our efforts on facilitating adoption.

5-2-96

April 30, 1996

MEMORANDUM

To: ~~The President~~

From: Nancy Hernreich
Mary Morrison

Re: Summary of letter from Roger Johnson

He summarizes a set of issues and recommendations about the condition of the OK City survivors and their families. A primary problem is the inconsistent definition of a "survivor" among agencies responsible for distributing benefits. Five actions are needed: definition of survivor, a way to properly administer funds, a set of guidelines for eligibility of benefits and support, more local decision making power, and a process to assure that these actions are all applied among all the agencies. The OK City Federal Executive Board should develop a specific plan to implement these recommendations. There should be communication between the FEB and a senior administrator who represents you. He thanks you for the opportunity to continue to help with OK City. He and Janice send their love to you and Mrs. Clinton.

VP / Leon
- For suggestion
- need to follow up w/
someone in charge
B.

Roger W. Johnson

4/21/96

1. CC: EL
K.H.
2. PRESIDENT

Hi Betty,

Thanks for getting this to
The President - Could you please send

① the Vice President copy to him
also - I'll be at the WH on 4/29 -
I'll stop to say hello -

Thank you

RG

April 21, 1996

The President
The White House
Washington D.C. 20500

Subject: Oklahoma City

Dear Mr. President,

First I want to thank you so much for your very thoughtful call which was made even more touching by the fact that it was made in the midst of your own personal grief from the loss of Ron. You are indeed a very special person.

I did not hear from Kitty or Evelyn so I proceeded in a manor that I felt would address your concerns. The following is, therefore, a summary of a set of issues as well as some recommendations concerning the condition of the Oklahoma survivors and their families that was compiled from a combination of my year long involvement, a variety of conversations that I have had since your call as well as information that I got from the meetings in Oklahoma City on April 17 and 18. As you'll see in the recommendations this letter is not meant to be all inclusive and a more comprehensive analysis should be a part of the next effort.

The bottom line, however, is that your observations that the people are still hurting more than most think and that there is additional support we should be giving is very accurate.

The Issues:

One of the primary problems is that rules regarding who is to receive benefits have been inconsistent in both content and application among agencies. This stems, in no small part, from a lack of a common definition of what constitutes a "survivor." For example:

1) one survivor lost an eye and the other is not functioning properly. He is not at work and there is a question as to whether he will ever be able to return or if so at what earning capability. He has five children- one in college- but will currently receive no aid for education even if he loses his ability to earn a living because the rule of one of the biggest funds is that you have to be the child of one that was killed to receive aid.

2) in another case - a wife was killed who - with her husband - had been raising their own three children plus one grandchild. Under the current rules the natural offspring of the couple are eligible for educational aid but not the grandchild.

3) Many spouses have been seriously impacted thru the direct effect that the bomb had on their husband or wife. Some have left jobs to provide care-others have been emotionally effected . The amount and type of support provided and planned to be provided varies widely depending on the attitudes and policy interpretations of various agency managers.

4) More generally the length and type of counseling is also widely disparate. One agency management apparently decided that "six months of counseling is enough for anyone- it's time they sucked it up and got back to work."- other managements are continuing to provide counseling and plan to as long as a professional deems it necessary. Therefore we not only have the fact of very different treatment of individuals but also the perception that "others are getting benefits I'm not" which obviously further compounds the hurt. Another dimension of this issue is added when decisions judged appropriate by local management are reversed or denied by regional or national agency management.

In part, many of these inconsistencies arise from the fact that there are different funds in different agencies, some with restrictions imposed by the contributor as well as rules determined by each agency apparently without much, if any, coordination.

5) Finally there are some who perceive that some of the issues are a result of senior administration officials that have lost touch or don't care. With the exception of you, the Vice President and a couple of Cabinet Secretaries and Agency Heads- there is a feeling that others either have never been to Oklahoma City or have made only "token visits." I have no idea what the real facts are - but this is the impression. Incidentally the comments about your involvement are not gratuitous- the people I have talked with and met had nothing but praise for your actions and attention.

Actions Needed:

1) We need a codified (but I hope compassionate) definition of who will be considered a "survivor." The resulting definition will cover a wide range of situations - from who will be recognized in official memorials to the more difficult issues of aid and benefit recipients.

2) We need a way to look across the various donated funds - without being intrusive - to at least assure (or be assured) that they are being administered properly and hopefully find ways, where there is discretion, to have their rules for benefit disbursement be more consistent across agencies.

3) We need a more specific and consistent set of guidelines concerning the eligibility for, types and length of benefits and support provided by the agencies- particularly counseling.

4) We need more local decision making power as well as a vehicle to assure senior administration attention- at least thru the next year.

5) We need a process or structure that assures , on an ongoing basis, a more consistent application of each of the above issues across and among agencies.

Recommendations:

1) I recommend that the focus for each of these issues be the Oklahoma City Federal Executive Board. I have been very impressed with the current Chairwoman, LeAnn Jenkins as well as with the caliber of the local agency heads. This focus should include:

a) a broader set of delegations of authority regarding "survivor" personnel issues

b) the delegations should be accompanied by a meaningful budgeted discretionary amount that could be used to resolve the inevitable exceptions that will inevitably arise- particularly when human suffering is involved.

c) an additional budget amount should be authorized to be used by the FEB, or agencies they approve, to bring in specialists to help develop and /or implement plans and policies. We might also consider reaching out to other nations who have had similar tragedies- Israel, Germany, Ireland and Japan come to mind.

I suggest the first task that is assigned to the FEB would be the development of a specific plan to implement these or other recommendations

2) Although the primary focus should be at the local level, I recommend that there be a specified and clear two way communication path between the FEB and a senior administration official who represents The President on these issues. Individual agency prerogatives are important but, for at least another year, there needs to be both a real and perceived senior administration involvement. The job could be accomplished by any one of a number of senior officials as long as the role was crisply and clearly defined by the President. The individuals primary role would be to assist the FEB in developing and then carrying out its new delegations, but additionally be responsible for at least two formal reviews and interim reports to The President with a final report in April 1997 recommending what ever ongoing actions were appropriate at that time.

Thank you for the opportunity to continue to help particularly with Oklahoma City which became not only a professional responsibility, but also a personal commitment for both Janice and I. I look forward to seeing you soon- hopefully on the first tee somewhere. We both send our love to your and Hillary.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Z. Allen". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

cc Vice President Al Gore

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE:

5/2/96

TO:

Jen O'Connor

FROM: Staff Secretary

We want to be sure
that Leon's office
has signed off. Please
call me.

Helen
6-2702

LABOR HISTORY MONTH, 1996

SIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1900s, millions of Americans left their farms
as factory workers. Sadly, many of these
ther secure employment nor higher wages at
d the industrial economy brought them
inued poverty, and the risk of injury and
of American history can forget the images
emerging from mills and mines, the stories
and explosions, or the grim legacy of the
in factory towns.

d labor, sweatshops, and workplace disasters
s of the past, efforts to eliminate them began
ter workers organized and spoke with a united,
The American labor movement helped the first
generation of industrial employees to express their aspirations
and insecurities, empowering them with the necessary tools to
define the terms and conditions of their employment and to
expand the role of labor in the larger society.

As we approach the 21st century, our Nation's economy is
undergoing a transformation as momentous as the change that
spurred the exodus from farms to factories 100 years ago. And
in facing the challenges posed by global competition and rapid
technological advances, the workers of the Information Age need
the same effective leadership that allowed their forbears to
succeed. Each new generation of workers must embrace the
activism that has characterized labor's rich history, and all
Americans should recognize the role that labor has played in
the continuing progress of our democracy.

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 5/2/96

TO:

Gene Sperling

FROM: Staff Secretary

Do you approve? Please
call me.

Helen

6-2702

LABOR HISTORY MONTH, 1996

SIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

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LABOR HISTORY MONTH, 1996

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

In the early 1900s, millions of Americans left their farms to begin new lives as factory workers. Sadly, many of these citizens found neither secure employment nor higher wages at their new jobs, and the industrial economy brought them exploitation, continued poverty, and the risk of injury and death. No student of American history can forget the images of filthy children emerging from mills and mines, the stories of terrible fires and explosions, or the grim legacy of the slums that grew up in factory towns.

Although child labor, sweatshops, and workplace disasters are largely horrors of the past, efforts to eliminate them began to succeed only after workers organized and spoke with a united, independent voice. The American labor movement helped the first generation of industrial employees to express their aspirations and insecurities, empowering them with the necessary tools to define the terms and conditions of their employment and to expand the role of labor in the larger society.

As we approach the 21st century, our Nation's economy is undergoing a transformation as momentous as the change that spurred the exodus from farms to factories 100 years ago. And in facing the challenges posed by global competition and rapid technological advances, the workers of the Information Age need the same effective leadership that allowed their forbears to succeed. Each new generation of workers must embrace the activism that has characterized labor's rich history, and all Americans should recognize the role that labor has played in the continuing progress of our democracy.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1996, as Labor History Month. I call upon Government officials, educators, the media, and all the people of the United States to observe this month with ceremonies, activities, and programs that encourage reflection on the labor movement's heritage and its many contributions to the creation and maintenance of a just America.

IN WITNESS WHEREOF, I have hereunto set my hand this
day of , in the year of our
Lord nineteen hundred and ninety-six, and of the Independence
of the United States of America the two hundred and twentieth.

THE WHITE HOUSE

WASHINGTON

April 29, 1996

THE PRESIDENT HAS SEEN

5-2-96

MR. PRESIDENT

Attached is Alan Patricof's
letter asking you not to veto
the product liability bill.
We will have a reply prepared.

Todd Stern

Wm. S. Clark

C - 512196

Need
Daskind
draft by
tomorrow. SB

T.

ALAN J. PATRICOF

445 PARK AVENUE

NEW YORK, N.Y. 10022

96 APR 29

ATT: 43

Through 4/29/96 Secy

THE PRESIDENT HAS SEEN

5-2-96

April 24, 1996

President William J. Clinton
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

As you can imagine, I was disappointed by your final decision on the Securities Litigation Reform bill. Nevertheless, after our conversation prior to the veto, I was at least comforted by the passionate feeling you had toward the "pleading" issue that was involved which prevented you from signing the bill. Now we are once again faced with a somewhat similar situation in the Product Liability Legal Reform Bill which is also currently up for your signature. While I do not have the background to comment on the legal aspects of this bill, I do know there is a very strong feeling in this country that American business is burdened unfairly in its competitive position by the unpredictable situation which currently exists in the legal system and can often create outrageous decisions.

My understanding is that the present bill which is pending (HR956) is a moderate approach towards broad legal reform and is strongly endorsed by many members of the entrepreneurial community. I urge you strongly to reconsider your position on this bill and sign it into law and identify yourself with the groups that are encouraging investment in the United States and who represent the principal strength behind job creation.

With kindest regards.

Sincerely,



Alan J. Patricof

Hudson Memo THE WHITE HOUSE
re Cement WASHINGTON, D.C. 20500
Industry's Proposed Enforcement
Agreement with EPA

DATE: 5-25

TO: K. J. McQuay

FROM: Staff Secretary

Do you want to put
a short career ~~memo~~
on this?

Donskid

1-20
5/2/96



AMERICAN PORTLAND CEMENT ALLIANCE

1225 EYE STREET, N.W. • SUITE 300 • WASHINGTON, D.C. 20005
TELEPHONE (202) 408-9494 • FACSIMILE (202) 408-0877

March 22, 1996

MEMORANDUM

TO: President Bill Clinton
FROM: Peggy Hudson
SUBJECT: Cement Industry's Proposed Enforceable Agreement with EPA

It was great to see you at the DNC dinner this week. Per your request for a memo, I am writing to follow up on our conversation about the cement industry's efforts to craft an enforceable agreement with EPA for the management of cement kiln dust (CKD), a by-product of cement manufacturing. I am attaching, for historical purposes, prior correspondence with you on this issue.

One year ago--acting on one of your suggestions for "reinventing environmental regulation"--the cement industry submitted an Enforceable Agreement to EPA for consideration. Our proposed Agreement is a contract between the cement industry and EPA for the purpose of implementing a set of tailored standards to manage CKD.

EPA expressed considerable enthusiasm for the draft agreement, particularly for the set of management standards which we appended to the Agreement. However, the Agency researched whether it has legal authority to use Agreements in lieu of rules and determined that no clear statutory authority exists. This is the only significant obstacle to the Agreement at this time.

The cement industry has discussed this problem with EPA, Democratic and Republican Members of the House and Senate, and with your staff at the Council on Environmental Quality. Most agree that the appropriate solution is a "rifle shot" amendment to the Resource Conservation and Recovery Act (RCRA) to grant EPA the discretionary authority to enter into such Agreements.

Soon you will sign into law H.R. 2036, the first RCRA "rifle shot" addressing the land disposal restrictions program--introduced by Republicans. However, the concept of Enforceable Agreements emanated from your Administration, and you suggested it as an alternative in your "reinventing environmental regulation" speech in March 1995. Now, the Republicans claim credit for moving forward with the first RCRA "rifle shot." Today, we are asking your help in enacting one of your own ideas--one to which no one has claim, so far. We have discovered in our outreach that Enforceable Agreements will not become a reality until you step forward.

We have met with EPA regarding RCRA "rifle shot" language authorizing EPA to enter into Enforceable Agreements, and we have incorporated EPA's suggestions. We are asking you to elevate the importance of this issue with Carol Browner and make the Enforceable Agreement a reality. Thank you for your attention to this matter. I can be reached at (202) 408-9494.

cc: Mack McLarty