

TO: TODD STERN
EVELYN LIEBERMAN

FROM: *[Signature]* JIM DORSKIND

DATE: June 10, 1996

96 JUN 10 6:56

COMMEMORATIVE PROCLAMATION REQUEST

Commemoration Title: Postal Workers' Day

Commemoration Date(s): July 1, 1996

Requestor Name(s): Becky Janecke

Organization: n/a

Request Date:

Congressional Support: none

Contact Telephone Number: 206-745-9121

History: None

NOTES: July 1, 1996 will be the 25th anniversary of the formation of the Postal Service, which is one of the largest employers in the country. The request for a proclamation comes from the mother of a postal worker, not the Postal Service or a postal union. However, Jen O'Connor recommends doing the proclamation.

Please indicate approval or disapproval of a PROCLAMATION, or another recommendation:

EL _____

TDS

*ND - message would
be OK -*

6-10-96

- Do not xerox all pages
- Delivered the original to EL

S.

(D) **Sec. Cisneros memo on adverse impact of welfare reform bills on legal immigrants.** Key members of the Congressional Hispanic Caucus (Roybal-Allard, Becerra, Richardson and Torres) have contacted him about the impact of the current welfare reform proposals on millions of legal immigrants and their adult children. For example, had you not vetoed H.R. 4, it would have terminated nearly 500,000 elderly and disabled legal immigrants from SSI, and made many legal immigrants ineligible for other needs-based assistance programs such as Food Stamps, Medicaid and Meals-on-Wheels. Cisneros argues that denying needed Federal benefits to legal immigrants will simply transfer the burden to state and local communities, and be particularly hard on states with large legal immigrant populations such as California, Florida, Texas and New York (who would bear over 76% of the Federal funding loss if the current proposals become law). Legal immigrants pay taxes and serve in the military, and should be entitled to needed benefits on the same basis as responsible citizens. He would like to discuss this issue with you. *We have forwarded copies of the memo to Leon, Bruce Reed, Rahm, and Ken Apfel.*

(E) **Tyson follow-up on CEO pay.** You asked whether there is any way for Treasury to adjust the OBRA 1993 regulations to strengthen the link between CEO pay and observable measures of CEO performance. Treasury already has tried to do so. However, stock options which have always been considered and were defined in the law's report language as "performance-based" have become a more important share of CEO compensation. (To ensure full disclosure, the law requires that such compensation be agreed upon by outside directors and shareholders.) This trend, along with the strong growth in the stock market, is an important factor behind the dramatic rise in CEO pay. "Ironically, our efforts to link CEO pay to observable performance indicators such as stock options may have actually reinforced growth in CEO compensation."

(F) **Quinn follow-up on Religious Freedom Restoration Act (RFRA).** In Reich v. Shiloh True Light Church of Christ, the 4th Circuit held that: the church's training program violated the Fair Labor Standards Act (FLSA) by employing children as young as eleven to work on construction projects; the training program was, in fact, a commercial enterprise and the church was the primary beneficiary of the child labor; and, the application of FLSA in the case did not violate either the First Amendment or RFRA. Although the church believes that the Bible requires vocational training for children, the 4th Circuit held that the government has a compelling interest in enforcing the child labor laws to promote public welfare and prevent harm to children. The Court noted that its conclusion was based on the particular facts involved, and that church-run vocational programs are not inevitably subject to FLSA nor do they always fall outside the protection of the Free Exercise Clause.

(G) **Rasco follow-up on impact of budget cuts.** Your FY 97 budget proposal resulted in cuts and reductions in programs you have traditionally supported. Youthbuild, a HUD program that trains out-of-school youth in building trades while rehabilitating housing, was cut from \$40 to \$20 million; Child Care Resource and Referral Grants were eliminated; the Homeless Veterans Reintegration Program, a \$5 million DOL

THE PRESIDENT HAS SEEN

6-10-96

copy sent to
Quinn + Fein
w/o
Caplan / Howell
cover

THE WHITE HOUSE
WASHINGTON

June 7, 1996

MR. PRESIDENT:

The attached Quinn/Fein memo sets out 4 options regarding the constitutional amendment proposed by Senators Kyl and Feinstein to establish rights for crime victims. It was finalized after a meeting today with other White House staff including Leon, Rahm, John Hilley, Ron Klain, George and Todd.

The memo recommends that you adopt Option #4 and endorse amending the Constitution to protect victim's rights without endorsing particular language; propose a bipartisan process to develop appropriate language; and state with specificity your view of the essential elements of such an amendment as well as what it should not include.

Leon may discuss this issue with you sometime this weekend, possibly during the flight to Las Vegas.

Phil Caplan *Phil*
Helen Howell *Helen*

THE PRESIDENT HAS SEEN
6-10-96

THE WHITE HOUSE
WASHINGTON

96 JUN 7 P 6:59

June 7, 1996

*Agree with you
on getting the
letter right
on 6/11*

MEMORANDUM FOR THE PRESIDENT

FROM: JACK QUINN, COUNSEL TO THE PRESIDENT *JKQ*
DAVID B. FEIN, ASSOCIATE COUNSEL TO THE PRESIDENT *DBF*

SUBJECT: PROPOSED CONSTITUTIONAL AMENDMENT FOR CRIME VICTIMS

Background

Last month, we sent to you a memorandum regarding the constitutional amendment proposed by Senators Kyl and Feinstein to establish rights for crime victims. At that time, we suggested asking the Justice Department to review the proposed amendment. You agreed and noted your support for victims' rights in the past. We have now received from the Department analyses of the Kyl-Feinstein proposal and other possible victims' rights amendments and statutory and executive initiatives.

There is a diversity of views within the Department of Justice about the wisdom of endorsing any constitutional amendment. Some offices, including the Associate AG's Office, the Office for Victims of Crime and the Violence Against Women Office, strongly support a victims' rights amendment. Others, such as the Office of Legal Counsel, the Criminal Division and the Office of the Solicitor General, strongly oppose any constitutional amendment. We understand that the Attorney General would like to talk to you about her experiences in Florida with that state's victims' rights amendment.

Options to Consider

We believe there are four real options at this time. We recommend that whichever option you choose, you simultaneously announce your support for an aggressive agenda of legislative and executive victims' rights initiatives to be acted on immediately.

Option #1 Do not support any constitutional amendment and, instead, propose additional statutory and executive initiatives.

Option #2 Support the Kyl-Feinstein proposed amendment.

- Option #3 Support an Administration alternative amendment based on language drafted by Walter Dellinger.
- Option #4 Endorse amending the Constitution to protect victims' rights without endorsing particular language; propose a bipartisan process to arrive promptly at appropriate language; and state your view of the essential elements that should and should not be in the amendment.

Recommendation

Our recommendation, which is identified as Option #4 above, is that you endorse the adoption of a victims' rights constitutional amendment, offering to work with the Congressional leadership and others to arrive at appropriate language that you could support. We recommend that you not endorse Kyl-Feinstein and that you not announce support for alternative amendment language at this time. Rather, we recommend that you instruct appropriate members of the Administration to meet with the Congressional leadership on a bipartisan basis to agree upon appropriate language that will provide victims with federal constitutional protection. In doing so, we recommend that you state with specificity those elements that should be in the amendment and those that should not be in the amendment.

We also recommend that you announce your support for an aggressive agenda of legislative and executive victims' rights initiatives to be acted on immediately while we work toward adoption of a constitutional amendment. The Justice Department has drafted a menu of possible initiatives, and it is attached to this memorandum at Tab I.

As you will see from the discussion that follows, there are compelling arguments both for and against amending the Constitution to protect victims' rights. We do not believe that the arguments for a constitutional amendment overwhelmingly outweigh those against an amendment. Rather, we think that a decision to not endorse an amendment, but instead to support an aggressive agenda of legislative and executive initiatives, is entirely defensible. For these reasons, we believe Option #1 deserves serious consideration.

The Arguments for a Victims' Rights Amendment

Proponents of a victims' rights constitutional amendment argue that the criminal justice system suffers from a great imbalance in that persons accused of crime have a wide array of legal rights, many of which are constitutionally guaranteed, while persons who are victims of crime have no constitutional protection and few rights at all in practice. Although quite broad statutory rights for victims are present in the federal system and in almost all states (including 20 states that provide state constitutional protection), victims' rights are not generally appreciated or enforced.

Embodying victims' rights in the Constitution would confer a participatory right in the criminal justice system to the persons most affected by crime and most deserving of

protection. In that way, a victims' rights amendment would resemble various constitutional rights to participate in democratic processes, e.g., the First Amendment's right to petition the Government.

After some 20 years of work on state law reform, the victims' rights movement has mobilized around the issue of a federal constitutional amendment. The leaders of that movement appear unlikely to support any initiative that does not include the endorsement of a proposed amendment of some type. These groups are hostile to the idea of further study of the problem, because they believe they have "been there" and "done that", without having made real gains. In fact, a Presidential Task Force on Victims of Crime was formed in 1982, and it recommended a victims' rights provision to be added to the Sixth Amendment of the Federal Constitution.

By elevating victims' rights to constitutional status, proponents believe that victims are more likely to be treated with fairness, dignity and respect and to gain enforcement of their already existing statutory or state constitutional rights. Moreover, they believe that conflicts between their rights and defendants' rights would then be fought on a level playing field: courts would have to balance the two sets of rights, rather than simply side with the defendants' rights because they, alone, are of constitutional standing.

While there is quite limited case law holding that a victim's statutory or state constitutional rights were in conflict with, and therefore must yield to, a defendant's federal constitutional rights, victims' rights advocates report that courts may, in practice, be rejecting victims' claims in light of defendants' constitutional rights. For example, a victim's right to a speedy trial could be at odds with a defendant's right to a fair trial or to effective assistance of counsel if the defendant demonstrated his need for a delay. Of course, even if victims' rights were constitutionally based, courts might still balance the rights to require a victim's rights to yield to a defendant's rights. But the balancing would proceed from a level playing field if both sets of rights were constitutionally based.

Victims' rights groups also hope that a federal constitutional amendment would create a baseline of victims' rights nationwide. Currently, victims are protected to significantly varying degrees, depending on whether their assailant is prosecuted in federal, military or state court, as a juvenile or as an adult, and, if in state court, in which state. For this reason, proponents seek a self-executing amendment that actually creates a uniform set of rights, rather than one that merely empowers Congress to enact legislation.

Your endorsement of any of the options supporting a constitutional amendment would likely be received enthusiastically by the victims' rights groups, such as the National Organization for Victim Assistance. John Schmidt emphasized in his comments to the Attorney General that these groups and this issue cut across partisan and ideological lines and that the issue is driven by diverse, grass roots constituencies, overwhelmingly family members of victims of violent crime, who are attempting to correct the criminal justice system's long-standing neglect of victims' rights.

The Arguments Against a Victims' Rights Amendment

The most powerful argument against a victims' rights amendment is the negligible substantive need for such an amendment, as opposed to legislative and executive action. In his comments to the Attorney General, Walter Dellinger stated that virtually all the specific rights in any amendment proposed so far either already exist in or could easily be achieved through state and federal legislation. Walter identified, therefore, the tension between supporting such an amendment and Administration statements on other proposed constitutional amendments. For example, in January 1995, Walter testified before Congress regarding a proposed Balanced Budget constitutional amendment: "Before taking the drastic step of amending the Constitution, every other reasonable alternative should be explored."

Opponents of an amendment emphasize that federal legislation could achieve a consistent baseline of victims' rights among all the states just as well as would a federal constitutional amendment. As for doubts about Congress' authority under the Commerce Clause to force the states to adhere to such federal legislation, it is widely agreed that Congress could exercise its spending power to require states to adopt and implement a fully effective victims' rights program as a condition for receiving federal criminal justice funds.

According to amendment opponents, the alleged disparity between a defendant's rights being protected by the Constitution and a victim's rights left unprotected reflects a misunderstanding of the purpose of the Bill of Rights. The Bill of Rights, they point out, exists to protect citizens from government action, which explains why it addresses the interests of the accused and not of victims. Crime victims, the argument goes, do not need to have their rights in the Constitution because the Government is not seeking to restrain their liberty. Rather, the Government can act to protect them without any specific constitutional provision, which would be the equivalent of an unfunded benefit program.

Walter Dellinger cautions that a victims' rights amendment risks damage to the Constitution. If, in fact, the problems faced by victims can be solved by legislative and executive action (as many believe they can), amending the Constitution for merely symbolic purposes arguably conflicts with the Constitution's present status as real and binding positive law. If, in contrast, a far-reaching amendment with potentially enormous resource costs and unknown consequences for criminal justice is ratified, the Constitution could become a hindrance, rather than a tool, in the fight against violent crime.

Similarly, opponents warn of unintended and unwanted consequences of amending the Constitution to satisfy politically popular objectives. Would members of a violent gang, who can be both offenders and victims of violent crime, be entitled to all the rights in the amendment? Could victims seek to overturn convictions collaterally if they were not provided notice of certain proceedings, by arguing, for example, that a plea bargain was too lenient? Could victims obtain court orders requiring government protection for a potentially unlimited duration? We cannot know how courts will interpret the broad language of some

of the proposed amendments, and these uncertainties will become a permanent part of the Constitution, not susceptible to remedy by a quick statutory fix.

Finally, a decision to endorse a constitutional amendment may diverge from the Administration's previously consistent public positions against amending the Constitution for measures that we otherwise support, such as balancing the budget, prohibiting flag-burning and permitting prayer in school. In the case of school prayer, in particular, the Administration developed a persuasive argument based on the rights available under existing law (legislation and court decisions) and earned great praise for providing an alternative to amending the Constitution that actually achieved as much, if not more, than the proposed amendment. Walter Dellinger and others are concerned that we would leave ourselves exposed on this point if we supported a victims' rights amendment.

Review of the Options

Option #1: No Constitutional Amendment

A compelling case has not been made that victims' rights cannot be thoroughly protected without a federal constitutional amendment. At the federal level, it appears that aggressive implementation of current federal victims' rights law through an agenda of executive action and some gap-filling federal legislation, along with a significant allocation of resources, could achieve most, if not all, of the amendment objectives. With respect to the states, priorities on block grant money and directed discretionary resources could build on current state efforts to great effect. Moreover, amending the Constitution could create unintended and unwanted consequences for the proper administration of criminal justice.

Yet there is no doubt that the goal behind a victims' rights constitutional amendment is salutary. Many of the rights sought by victims groups cannot reasonably be disputed: the right to have notice of, and to attend, public court proceedings; the right to be heard concerning the release of the accused; the rights to notice and attendance and to be heard in relation to parole hearings; the right to be given notice of any release or escape from custody of the accused or convicted offender; and the right to restitution from the convicted offender.

Victims claim that despite state and federal pronouncements of these rights, they are not regularly recognized or enforced in practice because they do not have federal constitutional status and parity with defendants' rights. Amending the Constitution to include these rights would, it seems to us, greatly enhance the likelihood of a more consistent nationwide fulfillment of these rights. Federal and state legislation and even state constitutional amendments have been tried and appear to have provided only limited positive results in the treatment of victims in the criminal justice system. **For these reasons, we recommend that you support a victims' rights amendment.**

That said, we recommend endorsing an amendment only if it is carefully crafted so that it does not (1) jeopardize the ability of prosecutors to investigate, bring and resolve

criminal cases successfully; (2) expose local, state and federal governments and law enforcement officials to civil damage suits brought by victims seeking to enforce rights; and (3) allow criminals, illegal aliens, prisoners and others with "unclean hands" to take advantage of protections intended for innocent victims of crime. An amendment obviously needs to be drafted with the utmost care to avoid unintended and unwanted results.

Option #2: Kyl-Feinstein

The proposed Kyl-Feinstein constitutional amendment, which is attached as Tab II, is self-executing, meaning it does not require implementing legislation, and it authorizes Congress to further implement the amendment in federal cases and state legislatures to do so in state cases, thus avoiding federalism objections.

Its language defining rights, however, is the most far-reaching of any proposals we have seen, and it does not have limiting language. It could have adverse implications for (1) prosecutors' ability to secure and uphold convictions in violent crime cases; (2) local, state and federal governments and law enforcement officials' ability to fend off civil damage suits; and (3) victims with unclean hands seeking to take advantage of protections intended for innocent victims.

For example, Kyl-Feinstein provides -- as a matter of constitutional right with no provision for exceptions -- that victims of violent crime shall be given the opportunity to be present at every proceeding at which the accused is afforded such right. Would a court interpret "opportunity to be present" to require that presentment following arrest be delayed until a victim was able to attend? Would that apply to victims who were prisoners, or illegal aliens, or foreigners? What about a case with multiple victims? Likewise, could Kyl-Feinstein's equally absolute right to a final conclusion free from unreasonable delay be used by a court to decide whether the prosecutor's decision to take an appeal during a criminal case is unreasonable? Although some of these interpretations are debatable, the amendment's language does not clearly foreclose them.

Even proponents of a victims' rights amendment have criticized Kyl-Feinstein for its possible adverse impact on law enforcement, criminal prosecution and the courts. Rep. Hyde, a House sponsor of Kyl-Feinstein, has introduced his own proposed amendment, which attempts to fix some of the problems of Kyl-Feinstein and provides, accordingly, much more limited rights. Senators Hatch and Brown expressed some concerns about the language of Kyl-Feinstein at the recent Senate Judiciary hearing on this subject. Professor Tribe has written to Senator Dodd, criticizing Kyl-Feinstein for, among other things, creating "a real hornet's nest of problems for law enforcement at all levels." Professor Tribe may well endorse a victims' rights amendment and is working on alternative constitutional language to propose.

Option #3: Possible Administration Alternative

Walter Dellinger is working on alternative amendment language, the current draft of which is attached as Tab III, which we strongly prefer to Kyl-Feinstein. It is similar in form to Kyl-Feinstein in that it actually creates rights, rather than merely empowering Congress to enact legislation, and it, too, reserves for states the power to further legislate in this area for state court proceedings. The alternative is superior to Kyl-Feinstein in that it is much more finely tuned and would, in our view, have significantly less adverse consequences on effective law enforcement and be less susceptible to the uncertainties of judicial interpretation. On the other hand, it is subject to the criticism that it limits the broad rights contained in Kyl-Feinstein.

Option #4: Recommended Approach

We recommend that you announce your support for amending the Constitution to protect victims' rights without endorsing particular language, offering instead to work with the Congressional leadership in a bipartisan fashion to arrive at appropriate language. In particular, we recommend that you instruct your staff to gather a small group of Administration representatives and Congressional members of jurisdiction (and possibly outside experts) to be tasked to agree upon recommended amendment language and to move it forward toward enactment.

Assuming that you do not support one of the existing Congressional proposals, an Administration proposal would likely be criticized in the ensuing months by some as going too far to protect victims' rights and by others as not going far enough. We do not, however, recommend that you merely endorse the concept of an amendment generally. Rather, we suggest that you describe with some specificity what you would support and what you would not support in a victims' rights amendment. Specifically, you could state your support for an amendment that:

- (1) is self-executing;
- (2) contains the following rights: to have notice of, and not to be excluded from, public court proceedings in the case; to be heard by the trial court concerning the release of the accused, the sentence, and acceptance of any plea, if present at the proceedings relating to those determinations; to be afforded like rights to notice and attendance and to be heard in relation to parole hearings; to be given notice of any release or escape from custody of the accused or convicted offender; to restitution from the convicted offender; to reasonable measures to protect the victim from violence or intimidation by the accused or convicted offender; and to notice of these rights; and
- (3) preserves for the States the right to enforce the foregoing victims' rights in state cases.

Likewise, you could state your opposition to an amendment that would:

- (1) adversely affect prosecutors' ability to secure and uphold convictions in violent crime cases;
- (2) expose local, state and federal governments and law enforcement officials to civil damage suits; and
- (3) permit victims with unclean hands (such as prisoners and co-conspirators) to take advantage of protections intended for innocent victims.

We believe, by the way, that by endorsing the notion of amending the Constitution and stating clearly what important elements should and should not be included, you will be in the best position later to oppose an unacceptable version of the proposed amendment. If, for example, a proposed victims' rights amendment with truly perilous consequences for the criminal justice system or the Bill of Rights, for example, gained momentum in Congress, you would be better able to oppose it if you made clear now that you support an amendment that intelligently and appropriately addresses victims' problems.

Support for an Aggressive Legislative Agenda

As previously stated, we also recommend your endorsing at the same time an aggressive agenda of legislative and executive victims' rights initiatives to be pursued immediately. (See Tab I). These initiatives can be enacted without any change to the Constitution, and, accordingly, we should urge that there be no delay in affording these rights to crime victims.

Acknowledgement of Resource Needs

Lastly, we believe that whatever approach is taken toward improving the protection of victims' rights, we should acknowledge that protecting victims' rights costs money. The objectives of a victims' rights constitutional amendment and other initiatives cannot be achieved without a significant allocation of resources. Indeed, most objectives require money more than constitutional, statutory or executive authorization.

For example, at the federal level, Victim-Witness Coordinators are critical in ensuring that victims are notified of, and are treated fairly at, court proceedings. Their numbers and duties should be increased. At the state level, an automated victim information and notification service has proven its worth. Regularly updated, current information about a criminal case is available by telephone 24 hours a day, and victims are notified by a recording informing them when an offender is being released. States should be required to allocate some portion of federal criminal justice funds for such a program, and the federal government should adopt it as well.

In short, we suggest that resource needs be a part of any announcement you make on victims' rights, and that the Department of Justice be asked how to best address those needs.

POSSIBLE EXECUTIVE AND LEGISLATIVE INITIATIVES

FEDERAL SYSTEM

- Establish a Presidential Task Force on Victims Rights including federal, state, and local law enforcement representatives to comprehensively review victim issues, identify best practices and model laws and procedures and develop reform recommendations. (Last such task force was in 1982.)
- Take immediate executive action directing all federal agencies (DOD, DOJ, Interior, Treasury, HHS, etc.) that deal with victims' rights reinvigorate their commitment to assuring the rights of, and serving the needs of, victims. Agencies would be directed to thoroughly and promptly review current policies and practices, to implement certain specific recommendations and to report within a short time frame to the President with an action plan to improve the treatment of victims.
- Seek increased resources as necessary to better implement existing law and to improve procedures and training to ensure that federal victims are consistently notified and, consistent with law enforcement needs, consulted regarding all case proceedings and other significant occurrences (such as release of the offender), and that they consistently receive other assistance and services.
- Adopt consistent policy that victims should not be excluded from trials or other public court proceedings in their case except for the most compelling reasons. Subject to reasonable court set conditions, give victims the right to address the court concerning such matters as pretrial release of the defendant, and the sentence to be imposed on a convicted offender.
- Strengthen restitution for victims, including making the award of restitution mandatory in all cases under federal criminal code, and enabling the government to seek court orders to preserve the assets of a defendant that may be subject to restitution.
- Give victims of acts of juvenile delinquency comparable rights to those that are accorded to victims in adult criminal cases.

NATIONWIDE, STATE, AND LOCAL

- Establish a Presidential Task Force
- Call on the governors to join the President in acknowledging the compelling government interest in protecting victims rights. Urge state adoption of victim-oriented reforms for state criminal cases comparable to those adopted or proposed for federal cases. Call on state legislatures to adopt statutes and/or state constitutional provisions affording victims the same rights and services as those provided for or proposed in federal cases and to provide adequate funding to make these promises a reality.
- Encourage and assist states in adopting victim-oriented reform through technical assistance and incentive programs.
- Establish a national crime victims information and referral hotline.
- Support development and implementation of cost-effective means to enable states to adopt victims' rights measures more broadly (e.g., automated systems for providing victims with notice of proceedings).

104TH CONGRESS
2D SESSION

S. J. RES. 52

Proposing an amendment to the Constitution of the United States to protect
the rights of victims of crime.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 1996

Mr. KYL (for himself, Mrs. FEINSTEIN, Mr. HATCH, and Mr. CRAIG) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United
States to protect the rights of victims of crime.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein), That the follow-*
4 ing article is proposed as an amendment to the Constitu-
5 tion of the United States, which shall be valid to all intents
6 and purposes as part of the Constitution when ratified by
7 the legislatures of three-fourths of the several States with-
8 in seven years after the date of its submission for ratifica-
9 tion:

"ARTICLE —

1
2 "SECTION 1. To ensure that the victim is treated with
3 fairness, dignity, and respect, from the occurrence of a
4 crime of violence and other crimes as may be defined by
5 law pursuant to section 2 of this article, and throughout
6 the criminal, military, and juvenile justice processes, as
7 a matter of fundamental rights to liberty, justice, and due
8 process, the victim shall have the following rights: to be
9 informed of and given the opportunity to be present at
10 every proceeding in which those rights are extended to the
11 accused or convicted offender; to be heard at any proceed-
12 ing involving sentencing, including the right to object to
13 a previously negotiated plea, or a release from custody;
14 to be informed of any release or escape; and to a speedy
15 trial, a final conclusion free from unreasonable delay, full
16 restitution from the convicted offender, reasonable meas-
17 ures to protect the victim from violence or intimidation
18 by the accused or convicted offender, and notice of the
19 victim's rights.

20 "SECTION 2. The several States, with respect to a
21 proceeding in a State forum, and the Congress, with re-
22 spect to a proceeding in a United States forum, shall have
23 the power to implement further this article by appropriate
24 legislation."

○

POSSIBLE ADMINISTRATION ALTERNATIVE

Section 1

In all cases that involve crimes of violence, or other crimes as specified by law, the victim shall have the following rights, which shall be accorded the same respect and dignity as the rights of those accused or convicted of crimes: to have notice of, and not to be excluded from, public court proceedings in the case; to be heard by the trial court concerning the release of the accused, the sentence and acceptance of any plea, if present at the proceedings relating to those determinations; to be afforded like rights to notice and attendance and to be heard in relation to parole hearings; to be given notice of any release or escape from custody of the accused or convicted offender; to a timely disposition of the case; to restitution from the convicted offender; to reasonable measures to protect the victim from violence or intimidation by the accused or convicted offender; and to notice of the rights secured by this article.

Section 2

With respect to cases brought under the authority of the United States, Congress shall have the power to enforce these rights and make appropriate exceptions and regulations. With respect to cases brought under the authority of the states, the state legislature shall have the power to enforce these rights and to make appropriate exceptions and regulations.

6.10.96

THE WHITE HOUSE
WASHINGTON

96 JUN 3 07:14

June 3, 1996

MEMORANDUM TO THE PRESIDENT

FROM:

Carol Rasco and Chris Jennings *CCJ*

SUBJECT:

James Glassman's Medical Savings Account Op Ed Piece

You asked how we would respond to the James Glassman Medical Savings Account (MSA) Op Ed in the Washington Post. This memo responds to the flawed, if not completely inaccurate, claims Mr. Glassman makes in his article.

Glassman Claim: MSAs Promote Cost-Containment. Glassman states that MSAs and their high deductibles will make families smarter health care consumers. He cites the respected RAND Corporation's 1974-82 study on the removal of first-dollar coverage and its effectiveness on cost containment to conclude that "wise shopping -- and judicious use -- should have the effect of limiting increases in health care costs overall."

Response: There is NO evidence that MSAs would produce any more cost constraint than what today's market is achieving through managed care and now prevalent non-first-dollar benefit packages. In fact, in a study that will be released in JAMA in a few days, RAND concludes that MSAs would have absolutely no demonstrable impact on cost containment. This finding, which is based on an elaborate model of the impact of MSAs on the insurance market, is devastating to the advocates of MSAs, particularly since it will come from RAND. (It is important to note that the study, which cannot be cited publicly until it is published, also concludes that the damaging effects of MSAs on the insurance market have been overstated.)

Glassman Claim: Employers Will Foot the Cost of the Deductible.

Glassman says that with MSAs, "your employer puts \$2,000 into an account in your name... In effect, you're spending your own money on health care -- with the kinds of beneficial results that the Rand study predicts."

Response: There is absolutely no requirement that employers will give back to employees all or any of whatever they are saving through the reduced cost of a catastrophic benefit package. Even if one makes the economically valid assumption that employers will maintain their current health care contributions and give back the premium savings to their employees, both the American Academy of Actuaries and the Urban Institute have reported that it is impossible for savings from a high deductible premium to come close to being sufficient to fill the hole left by the deductible. (This is based on a well known insurance principle that reflects the fact that most health care costs are produced by a few, very high-cost consumers.)

Glassman Claim: MSAs Aren't Just for the Healthy and Wealthy. Glassman cites a woman who wrote you a letter, "Penny Blubaugh, who makes \$16,000 a year," as an example that MSAs are not just for the healthy and wealthy. He then goes on to provide an accounting of the "average employer's premium on an MSA" to illustrate how these policies could save money for both workers and employers.

Response: It may well be the case that MSAs are not be a bad option for healthy individuals -- regardless of their income. Unfortunately, that is also precisely the point. The more we segment the market between the healthy and sick, the harder it will be to insure the sick. Having said this, it is worth pointing out that the Congress' own Joint Committee on Taxation (JCT) estimates that less than 2 percent of those who will use MSAs will have incomes of less than \$30,000.

Regardless, Glassman's example of Mrs. Blubaugh may still be full of holes. First, the amount of dollars she had to spend for her daughter's one emergency room visit was well below her deductible and we have no idea whether her employer is providing dollars to pay for anywhere near the entire deductible. Second, almost every emergency room visit is 90 or 100 percent paid for by traditional plans, so it is unclear what additional benefit the MSA is providing. Third, we (and she may) have no idea what her catastrophic health coverage is. It is important to point out that there is no requirement that prohibits today's MSAs (or those under the House-passed version) to impose life-time limits or high copayments on their catastrophic plans. In other words, even their limited insurance may not provide adequate protection for catastrophic health care encounters.

Finally, the idea that Glassman cites premium numbers provided by MSAs biggest advocate (Golden Rule's Pat Rooney) to back up his claims borders on the irresponsible. In short, as Brookings Institution's Joe White points out in his attached Washington Post response to Glassman, "about every health policy analyst doubts those premiums..." Analysts are particularly suspicious of the premiums since Golden Rule has refused to provide relevant data to the American Academy of Actuaries for confirmation and analysis.

Glassman Claim: MSAs Are Already Being Used -- Even by the UMW. Glassman suggests that MSAs must be a good idea since so many companies and their employees are using them, including "the United Mine Workers union."

Response: The UMW recently wrote a letter to Senator Dole explicitly denying that they have MSAs and severely rebuking claims to the contrary. Having said this, there are probably scores of high deductible MSA plans in the country. Citing their existence as a reason why they should receive a Federal subsidy, however, certainly does seem like weak rationale. Moreover, if a new Federal subsidy enhances utilization of MSAs to 20 percent of the nation's employees, the Urban Institute has just completed a study which projects that the cost of traditional premiums (for the remaining sicker employees who opt to stay in their current plans) would increase by almost 60 percent. As Robert Samuelson says in the attached Post MSA Op Ed, "Businesses might [in response] abandon comprehensive insurance or lower workers' salaries to pay for it."

Conclusion/MSA Update From the Hill: To date, there has been relatively little progress in breaking the Kassebaum-Kennedy MSA log-jam. The Republicans are pushing very strongly for an MSA that is nationally-based. Although they (particularly the Senate) seem willing to address obvious flaws in their current bill and to, perhaps, limit the MSA to particular populations (perhaps small businesses), they have shown no interest in constructing an MSA demonstration. (This is the option that we have indicated your willingness to consider.)

It is unclear what impact, if any, the RAND study will have on the discussions on the MSA issue by interested parties dealing with the Kassebaum-Kennedy legislation. Although RAND concludes that MSAs would no impact on cost containment, they will suggest that MSAs can be designed to address risk selection problems and, in general, conclude that these policies have a relatively benign impact on the health insurance market. In other words, the study -- which may well command a great deal of attention -- will have something for everyone.

Today, senior staff of the House and Senate Republicans tax writing Committees are meeting to discuss all the tax provisions in the Kassebaum-Kennedy legislation. MSAs will be a major focal point. We may have a report this evening or tomorrow on whether there has been any significant movement.

Tomorrow evening (Tuesday), the Republican conferees will be meeting to see where they stand on their internal, bicameral discussions on the Kassebaum-Kennedy bill. At that time, Senator Kassebaum hopes that, either directly or indirectly, Senator Dole will advise his Republican colleagues that he wishes to have a bill on the Senate floor before his departure. Even if he does this, it is unclear how sympathetic and responsive the House will be. If we don't get a breakthrough in the next few days on MSAs (and on the mental health parity provision, medical malpractice, and the deregulation of Multiple Employer Welfare Arrangements), it seems impractical to imagine the Kassebaum-Kennedy bill getting a final vote before Senator Dole leaves the Senate. (See attached today's Post Editorial.)

For this to happen, a great deal of hard compromising must be done on MSAs, as well as the mental health parity, MEWA, and medical malpractice provisions in the next few days. Working closely with John Hilley and Susan Brophy, we will keep you apprised of developments.



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

June 7, 1996

96 JUN 7 P4:52

RECOMMENDED TELEPHONE CALL

TO:

MOLLIE BEATTIE, Director U.S. Fish and Wildlife Service
802-365-7357 (Grace College Hospital, Townshend, VT)

DATE:

Within two days

RECOMMENDED BY:

KATHLEEN A. MCGINTY

PURPOSE:

To thank her for her service.

As you may have read today IN THE LOOP, Mollie has officially resigned as Director of the Fish and Wildlife Service on June 5th. She is dying, and is expected to live only a week or two.

BACKGROUND:

Mollie was diagnosed with Glioblastoma Multiforme #4 in July, 1995. This is the same cancer Mike Synar had.

She has had two operations and after each one did well for a short time. She not only came back to work after each operation in record time, but made work her motivating force to recover. She believed she had the best job in the world.

Mollie has fought hard for the Endangered Species Act, was instrumental in the release of wolves in Yellowstone Park and Idaho, has worked hard to improve the Refuge system and has been dedicated to implementing ecosystem management in the Fish and Wildlife Service.

Her colleagues at Interior are rushing to name a small portion of the Arctic National Wildlife Refuge after her. They are trying to get this done before she dies.

Mollie, 49, was confirmed by the Senate in September, 1993 as the first woman to direct the Service, and is from Vermont. She is married to Rick Schwolsky and has no children. Her beloved dogs are with her in her hospital room.

Bradley Miss Judged

By Al Kamen
Washington Post Staff Writer

White House folks are giving Sen. Bill Bradley (D-N.J.) all the credit for that neat idea two years ago to elevate Judge H. Lee Sarokin from the District Court in New Jersey to the 3rd U.S. Circuit Court of Appeals.

Some White House folks recall balking at promoting a 65-year-old liberal, preferring the Reagan administration policy of putting 30-somethings on the bench so they can serve decades. But Bradley, known these days as a neocentrist, was strong for Sarokin.

The Clintonites won a predictably bloody Senate vote for Sarokin in October 1994 after Republican attacks. After all that effort, Sarokin wanted earlier this year to go part time and try cyber-judging, working out of San Diego, where he has new grandchildren.

But his judicial colleagues balked. Then Sarokin discovered he was being attacked by Republican presidential candidate Robert J. Dole. He was so shocked he wrote President Clinton on Tuesday to say he had wanted to stay on the bench longer but "constant politicization of my tenure has made that lifetime dream impossible for me."

Politics can do that. That's why the Framers wrote Article 3 of the Constitution. That item gives judges lifetime tenure to insulate them from politics, though maybe not from winters in New Jersey.

Ruckus by the Baucus Caucus

■ Speaking of judges, things looked good for a while yesterday in the Senate for four of Clinton's judicial nominees. Acting Majority Leader Trent Lott (R-Miss.) brought the four District Court candidates to the floor for a vote. Democrats have begun complaining that the Republicans are playing election-year politics, not confirming nominees to keep the seats open for a possible Dole victory.

But one senator blocked a vote on the judges. Which Republican did this? Sen. Max Baucus of Montana, who's usually listed as a Democrat. Baucus apparently was miffed because his nominee from Montana was not brought to the floor.

Clinton's Education Stock: Bull or Bear?

■ During the '92 presidential primaries, former Massachusetts senator Paul E. Tsongas (D) called Clinton a "Pander Bear" for his chronic tendency to tell widely disparate groups whatever they wanted to hear.

For this campaign, we've developed a Loop Pandermeter to register the level of craven political appeals candidates make to key constituencies.

Unfortunately, the meter is in the shop this week for extensive repairs. Technicians say the sensor coil and intake flange apparently were burned out by Clinton's proposal of a \$1,500 tax credit for a year's tuition at a community college. Under the proposal, if students maintain a B average, a second year's \$1,500 would be available.

(Students with borderline grades can be expected to split the credit with a recalcitrant professor or two.)

Blumenthals Have White House Covered

■ Jacqueline Jordan Blumenthal, a senior vice president with a direct mail fund-raising firm for nonprofit groups, and before that in various jobs at People for the American Way, is moving across the river the end of this month to run the White House fellows program.

She replaces Brooke Shearer, who ran the program since the beginning of the administration. Shearer, whose husband is Deputy Secretary of State Robert Talbott, is a longtime friend and campaign aide to Hillary Rodham Clinton. Shearer is said to be mulling options. The program brings in young up-and-comers—Gen. Colin L. Powell, Housing and Urban Development Secretary Henry Cisneros and author Doris Kearns Goodwin were in it—to work as special assistants to senior administration officials.

Blumenthal's husband, former Washington Post reporter Sidney Blumenthal, writes about politics for the New Yorker, focusing these days mainly on things British. His wife's new job is not expected to make his coverage of the Clinton administration any more favorable.

Beattie Leaves Fish and Wildlife Service

■ Mollie H. Beattie, a former Vermont environmental official and the first woman to head the U.S. Fish and Wildlife Service, has resigned because of illness. Beattie, 49, has battled brain cancer and has had two operations to remove a malignant tumor. She took a medical leave in December but returned in April.

Interior Secretary Bruce Babbitt said John R. Rogers, Beattie's deputy, would take over as acting director.

Drug Policy, NATO Forces, EEOC

■ Word is Alan H. Flanagan, a 30-year career foreign service officer, who's served in Peru, Cuba and Turkey and is now finishing a tour as ambassador to El Salvador, is coming back to Washington soon to work on "source" countries for new drug czar Barry R. McCaffrey. That means Flanagan's going to keep an eye on countries like Peru and Bolivia.

On the Pentagon front, Clinton has tapped Vice Adm. T. Joseph Lopez, former commander of the U.S. 6th Fleet in Europe and now a deputy chief of naval operations, to replace Adm. Leighton W. Smith Jr. as commander of NATO forces in Bosnia and Southern Europe and of U.S. naval forces in Europe. Secretary of Defense William J. Perry dismissed rumors that Smith had been pressured to resign. Perry told reporters that Smith had done "a first-class job" and had been asked to stay on beyond his normal end of tour in April.

Clinton has also tapped former New York labor lawyer Reginald E. Jones, senior legislative counsel to Sen. James M. Jeffords (R-Vt.), to be a member of the Equal Employment Opportunity Commission.

6-10-96

THE WHITE HOUSE
WASHINGTON

June 8, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: HELEN HOWELL *Howell*

SUBJECT: Recent Information Items

We are forwarding the following recent information items:

- (A) **Panetta memo on Defense Bill mark-up.** The House Appropriations Committee marked-up the bill on June 5. It totals \$245.7 billion (\$11.2 billion over the Budget, and \$2.9 billion over FY 1996). In combination with defense funding in other bills, total defense funding would exceed your request by \$12 billion. Most of the increases above the request are for advancing the pace of modernization activities in procurement accounts, R & D, and strategic sealift programs. The bill also would terminate the proposed Dual Use Application Program. Prior to the mark-up, Rivlin objected to the increase in funding over your request, noted other concerns about the bill, and indicated that your senior advisers would recommend that you veto a Defense Bill that did not address these concerns.
- (B) **Panetta memo on Agriculture Appropriations Bill mark-up.** The House Appropriations Committee marked-up the bill on June 6. It totals \$12.8 billion (\$1.1 billion below the request and FY 1996). Cuts in discretionary programs were moderated by mandatory savings provisions of \$.5 billion, and actual discretionary spending is about \$13.4 billion. Prior to the mark-up, Rivlin noted that the Administration had serious concerns that had to be addressed, including reductions in several mandatory conservation programs, the WIC and food stamp programs, rural housing, and rural water and wastewater loans and grants. The Committee provided increases to some of the mandatory conservation programs that had been cut by the Subcommittee, and overturned a cut of \$98 million in Farm Bill market transition payments that had been included by the Subcommittee.
- (C) **Sperling, Reed and McHugh memo on media coverage of your announcement of America's HOPE scholarships at the Princeton commencement.** The coverage was overwhelmingly positive and included: network news coverage on all 4 major networks; 2 consecutive days of NY Times articles; 3 Washington Post articles; 2 NJ Star-Ledger articles; front-page stories in these papers as well as the St. Louis Dispatch, Chicago Tribune, Minneapolis Star-Tribune, and Baltimore Sun; and 2 consecutive days of USA Today articles. In addition, pictures of you at the commencement were featured in numerous papers.

Need to follow up

THE PRESIDENT HAS SEEN
6/10/96

THE WHITE HOUSE
WASHINGTON

96 JUN 6 10:57

June 6, 1996

MEMORANDUM FOR THE PRESIDENT
THE VICE PRESIDENT

FROM: GENE SPERLING
BRUCE REED
LORRIE MCHUGH

SUBJECT: Media Coverage of the America's HOPE Scholarships Announcement

Your announcement of America's HOPE Scholarships at the Princeton University commencement received enormous press coverage throughout the nation in the two days following the event -- with the overwhelming majority of the coverage being extremely positive. *Attached is a summary of the news coverage, a sampling of nationwide clips, and a page of the best quotes.*

HIGHLIGHTS:

- **Network News Coverage on all 4 Major Networks** -- Including a lead story on *ABC World News Tonight* followed by a profile of the Georgia HOPE Scholarships program.
- **2 Consecutive days of USA Today Articles** -- Including the charts we provided on the cost of average community college tuition in each state and the increases in costs of college tuition as a percentage of family income.
- **2 Consecutive days of New York Times Articles** Including a Front-Page Article and a Mostly Supportive Editorial.
- **3 Washington Post Articles** Including a Front-Page Article and an Editorial.
- **2 New Jersey Star-Ledger Articles** Including a Front-Page Article.
- **Front-Page Articles:**
 - *Washington Post,*
 - *New Jersey Star-Ledger,*
 - *St. Louis Dispatch,*
 - *Chicago Tribune,*
 - *New York Times,*
 - *Minneapolis Star-Tribune,*
 - *Baltimore Sun,*
- **Pictures of the President at the Princeton commencement:**
 - *Los Angeles Times,*
 - *Atlanta Journal Constitution,*
 - *St. Louis Dispatch,*
 - *Richmond Times-Dispatch,*
 - *Miami Herald,*
 - *Louisiana Times-Picayune,*
 - *Washington Times,*
 - *New Jersey Star-Ledger*
 - *Hartford Courant,*
 - *Baltimore Sun,*
 - *Chicago Tribune,*
 - *Asbury Park Press.*



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

THE PRESIDENT HAS SEEN

6.10.96

June 7, 1996

96 JUN 7 P10:25

MEMORANDUM FOR THE PRESIDENT

FROM: KATHLEEN A. MCGINTY

Robert Kapla for

CC: LEON PANETTA

RE: CEQ WEEKLY REPORT

ENVIRONMENT DAY

As you know, almost 500 people from all over the country attended events here yesterday. The overwhelming reaction was tremendously positive. If we have not done this kind of outreach in other issue areas, I would strongly recommend it. I believe we made some real headway, even on timber.

MARINE SAFETY AND ALASKAN OIL EXPORTS

Last week, Governor Mike Lowry (D-WA) sent a letter praising you for directing the Department of Transportation to develop an action plan concerning Washington State's marine and environmental safety concerns. As you may recall, this action plan was called for as part of your determination allowing for the export of Alaskan North Slope oil. In addition, the final rule stating the terms and conditions applicable to export licenses was issued May 28th and the first shipment of ANS oil departed from Valdez, Alaska on May 31st.

PROJECT XL IN ARIZONA

The negotiations between the Intel company and the local stakeholders on the company's XL project in Chandler, Arizona are nearing completion. There is still time for something to go wrong, but it now appears that the negotiations will produce both superior environmental performance and significant cost savings to the company. Attached you will find a recent editorial from the Arizona Daily Star which begins: "Anyone who cares about either the environment or business should applaud the experiment in regulatory reform now underway at the Intel Corporation's huge new circuit plant in Chandler." This editorial highlights why our innovative approach to reinventing environmental regulation is far more effective than the "mischievous cost-benefit analyses and regulatory compensations that have appropriately fizzled in the Congress and Arizona legislature." I have attached the article for your review. We would like to plan an event with the Vice President to mark the successful conclusion of this agreement.

TAKINGS

I have attached an article from the New Republic criticizing Senator Dole's Omnibus Property Rights Act. As you know, the bill mandates compensation if a regulation reduces the value of a portion of property by 33 percent.

In other takings news, Governor Roy Romer (D-CO) vetoed a property rights bill this week. Significantly, the Colorado legislation was substantially weaker than that proposed in Congress.

GOVERNOR WILSON AND NUCLEAR WASTE

Yesterday, the Los Angeles Times reported that California Governor Pete Wilson has been working to enact a state level ban against the export of radioactive nuclear waste *out* of California. This effort was characterized by officials within the Wilson administration as a desire to insure that the operators of the proposed Ward Valley radioactive waste site would have a profitable business. The article (attached) makes it clear that radioactive waste generators in the state, including Stanford University and others, do not support the governor's effort.

In summary, although Wilson has often alleged that the federal government's unwillingness to transfer the Ward Valley site as a threat to health and safety in California, the truth is that Governor Wilson has been working to keep radioactive waste in California simply to insure the profitability of a dump and its operator.

THE PRESIDENT HAS SEEN
6.10.96

THE WHITE HOUSE

WASHINGTON

96 JUN 7: P7: 29

June 7, 1996

MEMORANDUM TO THE CHIEF OF STAFF
FROM RAHM EMANUEL
SUBJECT WEEKLY REPORT

See notes
JG

CRIME/DRUGS: The San Diego event is designed to highlight the Administration's success in fighting crime along the border. This will be the one time, prior to the GOP convention, during which we can point to our initiatives. In addition to the President and the Attorney General, the sheriff and district attorney of San Diego, both big Republicans, will make remarks about the decrease in crime.

The Justice department report tracks crime along the border and the introduction of federal resources. We want to make the point that once resources were available to law enforcement at the border, San Diego and other cities witnessed a significant drop in crime.

We will not be able to avoid it, but the press will compare this trip to Senator Dole's border event. We should shy away from this comparison in our remarks and focus on the good story we have to tell. We must remember this is a law enforcement event, not just an anti-immigration event.

This week I held a meeting with the Department of Education staff on the truancy report. The report should be ready for the Conference of Mayors on the 22nd of this month in Cleveland.

The report identifies five principles that any successful anti-truancy initiative should include. The report is modeled after the school uniform guide. I would like to use the Mayors' conference and the radio address to highlight the report.

The Treasury Department is ready with the Juvenile Handgun Tracking Center. This announcement will organize 17 cities, thier police departments, district attorneys offices, and U.S. Attorney's offices to track juvenile handguns and their sellers.

The Department of Justice is ready with \$50 million in grants to police departments for Domestic Violence prevention. The sooner the better in my view.

Agree

IMMIGRATION: Former President Bush came out this week against the Education Amendment to the Immigration Bill. Mayor Giuliani also attacked the Immigration bill. Senator Kennedy is circulating a letter among Republicans and Democrats. He is up to 46 signatures on the letter, five Republicans and 41 Democrats.

Given the recent press, I think it is essential we get this letter out this weekend before the conferees meet.

We received a great editorial in the San Diego paper this week supporting Operation Gatekeeper. I have attached a copy for you to read prior to the trip.

Next week INS will sign a Memo of Understanding with the hotel industry in Florida. This will show real follow-up to our announcement two weeks ago in Florida. The Governors office was pleased with the program and the coverage they received.

*up
down*
WELFARE: Bruce and I met this week to review our upcoming proposals. The paternity identification and 39th and 40th state welfare waivers are ready. We also met with Don and Dick to discuss when these waivers should be announced. We are looking at the speech in front of the Nurses to announce the paternity identification and state waivers.

✓
The purpose behind one big announcement is that the waivers will not get any coverage on their own. Additionally, combining it with a big announcement will insulate us when we miss the deadline on Wisconsin. *S. Why*

*learn
wanna
yes on
rubs*
I am still very nervous about the lack of progress at HHS on the outstanding waivers. They have 27 standing requests that are at different stages of completion. In many cases, the waivers are being held up by details. Beyond the 27 waivers they have yet to send any letters to the targeted states on their upcoming waiver requests.

RACE: I think the radio address this week is really important for a number of reasons. First, the fires are despicable. Second, given the mood of the national press we need to discuss the one issue that goes to the President's core, race relations. Third, I think we can develop a storyline that President Clinton is the first Democrat since Bobby Kennedy to bridge the races in America.

Doing and saying things that go directly to the President's core and are not seen as political would help push back the national press.

6.16.96

THE WHITE HOUSE

WASHINGTON

96 JUN 7 P2:52

May 31, 1996

MEMORANDUM TO THE PRESIDENT

From: Carol H. Rasco

Subject: Weekly Report: May 25 - May 31, 1996

UPDATE ON KEY INITIATIVES

SOCIAL POLICY

Parental Rights and Responsibility Act -- Senate Judiciary Committee mark-up of this legislation is now likely within the next two weeks. This bill would provide parents the right to sue in federal court if government "interferes with or usurps" their rights as parents. It is designed to appeal to conservatives who disagree with school curricula and have problems with school policies on counseling and discipline. The DPC and the Counsel's office have been working with the Department of Education to develop a proactive response designed to obviate the need for legislation. This is the same strategy used in the religious liberty debate last year. We are meeting with interest groups next week and may then consult with Democrats on the Hill.

ENVIRONMENT AND ENERGY

New York - New Jersey Dredging -- Inadequate dredging in the Port of New York-New Jersey may threaten the region's economic health. The governors of the two states and unions, environmentalists, business, and Federal agencies have been engaged in a visible and difficult debate about how to solve the problem. The principle impediment to adequate dredging is concern over environmental impacts of the dredged material. CEQ and DPC have worked with OMB, NEC, and the principal agencies and are recommending an initiative that will make clear that the Federal government is doing its part to solve the problem. At the same time, the initiative will make clear that the States must make difficult decisions before dredging can move forward. We are working with Harold Ickes to move the issue forward with the goal of an announcement before the June 11 markup of the Water Resources Development Act (WRDA).

Follow-up to Advisory Committee on Human Radiation Experiments -- At Phil Caplan's suggestion, DPC staff are working with the Interagency Working Group on Human Radiation Experiments to develop a formal Administration response to the Advisory Commission's recommendations by late summer. Agencies are already implementing some recommendations. Our goal is to resolve outstanding issues and prepare a comprehensive response to the report. DPC staff met this week with the Advisory Committee Chair, Dr. Ruth Faden, and with the Defense Department. We have scheduled a discussion with the Interagency Working Group for June 6.

VIOLENCE AGAINST WOMEN

STOP Grants -- Last Friday, Department of Justice announced release of \$130 million of STOP grants to combat domestic violence under the Violence Against Women Act (VAWA). Grant money went to each state. 

COPS -- The Department of Justice COPS office is ready to announce community policing grants to combat domestic violence. These grants received an enormous response from local law enforcement agencies, with over 800 grant applications received. There are currently internal discussions occurring on how to make the announcement. 

EXTERNAL ACTIVITIES

TRAVEL

Wednesday, I participated in the Summit '96 National Women's Business Council's Economic Summit at Northwestern University's Allen Center in Evanston, Illinois; I delivered the keynote address at the opening plenary and led a roundtable discussion.

Thursday, I attended the National Summit on Teacher Preparation Conference in New York City.

THE PRESIDENT HAS BEEN
6-10-96

WEEKLY ECONOMIC BRIEFING OF THE PRESIDENT OF THE UNITED STATES

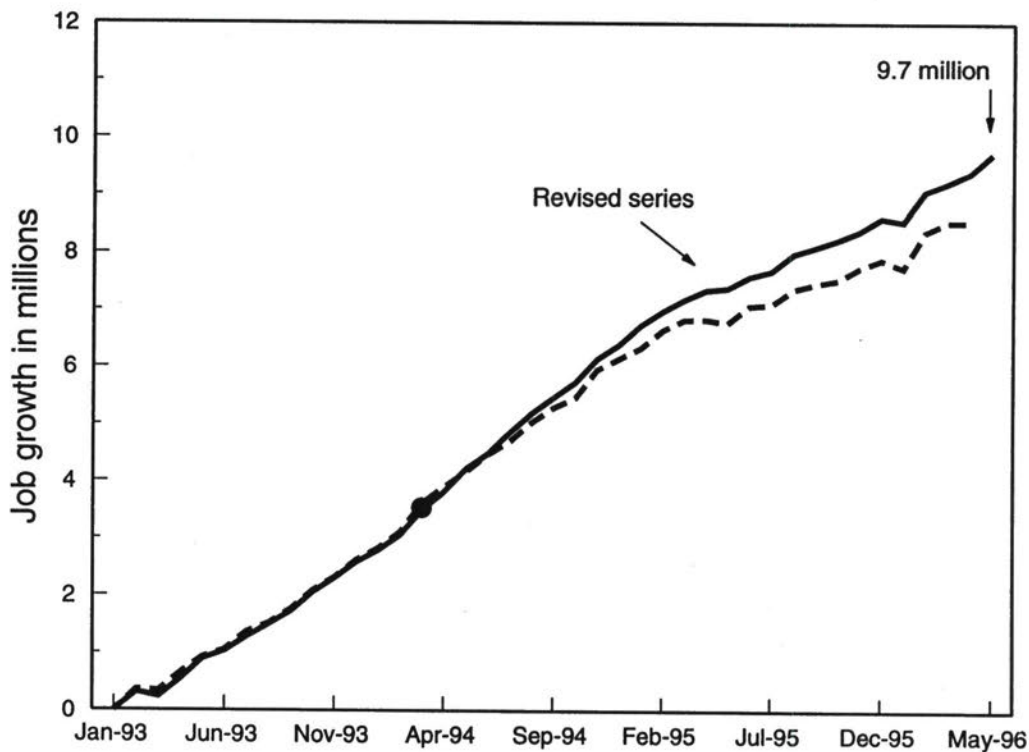
Prepared by the Council of Economic Advisers
with the assistance of the Office of the Vice President

June 7, 1996

96 JUN 7 4 31 PM '96

CHART OF THE WEEK

Payroll Employment Up 9.7 Million Since January 1993



Revisions to the payroll employment data, released this week, show that job growth since March 1994 has been stronger than previously reported (compare the revised series with the old series). Taking into account both these revisions and job growth during May, a total of 9.7 million jobs have been created since January 1993. A Special Analysis in this issue of the Weekly Briefing discusses these revisions.

C.10.9c

program that trains homeless veterans and links them to jobs, was eliminated; and your initial request for the Violence Against Women Act programs was for \$30 million less than authorized, but the outcry from women's groups led to a budget amendment to provide the additional funding. Carol warns that, "[O]ur argument that these services can be picked up by using other more flexible funding streams is not generally accepted. . . ."

(H)

Quinn/Whalen follow-up on Robert Swan and the National Credit Union Administration (NCUA). Swan, a former NCUA board member, has filed a lawsuit against you and the NCUA. He was appointed to the NCUA board by President Bush, and his 6-year term expired August 2, 1995. The NCUA statute provides that a member may continue to serve until a successor "has qualified." In November 1995, you nominated Yolanda Wheat to serve on the NCUA board, and in April 1996, you instructed Bob Nash to notify Swan that his services were no longer necessary and to "recess appoint" Wheat (who had not yet been confirmed by the Senate). Technically, the vacancy to which Wheat was appointed was created by Swan's term expiring. On April 30, DOJ submitted its brief responding to Swan's lawsuit and emphasized that you have inherent authority to remove officers and constitutional authority to make appointments during a recess. DOJ anticipates a ruling against Swan's request for injunctive relief by mid-June, and expects the government to prevail on the merits.

(I)

U.S. Catholic Conference pamphlet. Via Harold. Entitled, "A Call to Political Responsibility," it was received by Harold's former law partner, Joseph Suozzi, at Sunday mass on May 26. Suozzi assumes it was distributed throughout the diocese and throughout the U.S.

(J)

Regional Coverage of the Blue Ribbon event. Via Lorrie McHugh. Over 63 radio and 31 television interviews were scheduled, reaching a total of 363 radio stations and 31 TV stations nationwide. In addition, the event received a lot of regional print coverage.

(K)

Regional clips from your trip to Baton Rouge and New Orleans.

(L)

Paul Taylor piece from the Baltimore Sun, and Atlanta coverage of your Princeton announcement. Don Baer thought these might interest you.

We also received the following items:

•

Lake note on brother of Rafael Palmeiro. Rafael discussed with you the status of his brother who has been seeking to emigrate from Cuba to the U.S. The Cuban government originally provided exit permits to Palmeiro and his wife, but refused to do so for their three children. With the assistance of the United States Interests Section in Havana, Palmeiro has now received exit permits for his entire family, and should be coming to the U.S. within the next 30 days. Palmeiro has been informed.

Ment

THE WHITE HOUSE

WASHINGTON

June 7, 1996

96 JUN 7 11:40

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓

SUBJECT: Status of Brother of Rafael Palmeiro

Rafael Palmeiro has discussed with you in the past the status of his brother who has been seeking to emigrate from Cuba to the United States. While the Cuban government had provided exit permits to Palmeiro and his wife, it had resisted doing so for their three children. We asked the United States Interests Section in Havana (USINT) to look into this matter.

With USINT's assistance, Palmeiro has now received exit permits for his entire family and should be coming to the United States within the next thirty days. We have informed Rafael Palmeiro of this development.

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

96 JUN 7 09:12

June 7, 1996

C.O.S.
Phil

MEMORANDUM FOR THE PRESIDENT

FROM: KITTY HIGGINS *for KM*

SUBJECT: Summary of Cabinet Weekly Reports
May 31 - June 7

DEPARTMENT OF TREASURY

- **Pennsylvania Avenue:** It is expected that Chairman Regula will include language in the Interior Appropriations bill to prohibit the Park Service from expending any funds on closing Pennsylvania Avenue. In testimony today, the Secret Service explained its reasons for recommending closure of the street and reiterated that the entire neighborhood around the White House could be affected by an incident. Members, led by Rep. Moran and Del. Norton, questioned the necessity of closing the street, and raised concerns about the cost to the city. Traffic is another major concern. Rodney Slater testified (and a report was released) about the impact of closure on traffic.
- **Church Fires:** On June 3, another fire destroyed a church in Greensboro, AL. ATF and FBI agents are working with state and local law enforcement officials to investigate the site.
- **Customs:** On June 1, inspectors in Pharr, TX seized 1,018 pounds of cocaine estimated to be worth \$45 million in the arrest of a driver of a tractor-trailer carrying produce.
- **Secret Service and Boston Police Share Automated Data System:** On June 4, the Boston Police Department and the Secret Service dedicated a computer-oriented identification and booking system which permits electronic sharing of arrest photographs and data.
- **Tax System Modernization:** On June 14, GAO will release a report evaluating IRS and Treasury efforts to correct problems in the Tax Systems Modernization (TSM) program. The Department expects the report to acknowledge over 40 specific areas in which progress has been made, but to conclude that the management and technical problems associated

with TSM have not been adequately corrected. The report is expected to recommend lower funding levels for TSM until these problems are corrected.

DEPARTMENT OF COMMERCE

- **Economic Indicators:**

Wholesale Trade (April 1996):	June 7
Advance Retail Sales (May 1996):	June 13
Manufacturing and Trade: Inventories and Sales (April 1996):	June 14
- **National Medal of Technology:** On June 10, Secretary Kantor and Under Secretary Good will announce the nominees of the National Medal of Technology in San Jose, CA at the Tech Museum of Innovation.
- **U.S.-Mexico Border Infrastructure Conference:** Commerce has begun plans for a U.S.-Mexico Border Infrastructure Conference in San Antonio to discuss NAFTA related issues. The conference is tentatively scheduled for August 4-6 and to be co-hosted with Mexico's Secretary of Commerce & Industrial Development.
- **Census Bureau Report:** Next week, the Census Bureau will release its annual Consolidated Federal Funds Report for FY95. The report covers Federal Government expenditures or obligations in a variety of categories, and is broken down to the state and county level. The report excludes interest on federal debt and other federal payments, such as coverage for failed savings and loans, that could not be allocated geographically, but states that federal aid surpassed \$5,000 per person in FY95.

DEPARTMENT OF LABOR

- **McDonnell Douglas Strike:** On June 5, nearly 7,000 workers represented by District 837 of the Machinists Union struck the St. Louis area plants of McDonnell Douglas, after talks failed to produce an agreement on a new contract. Outsourcing and job security are the principal issues in dispute. Leaders of the IBEW and the Teamsters locals at the company reportedly have urged their members to honor the Machinist's picket lines. A spokesman for McDonnell Douglas said the company plans to continue to operate during the strike.
- **JC Penney:** On June 3, JC Penney announced a new policy regarding contractors who violate labor laws. In a June 3 letter to its suppliers, the company announced that it will terminate the shipment of merchandise to JC Penney from any supplier found to be violating labor laws, and that it would not reinstate shipping until the supplier has a verifiable monitoring program in place. On May 20, JC Penney was one of several major retailers named by the Labor Department, as having receiving goods produced by

manufacturers or their contractors in violation of wage and hour laws. The policy relates to both domestic and international suppliers.

- **Olympic Update:** ACOG has confirmed that it will file eight applications for foreign guestworker (H-2B) visas for 38 workers. An additional application may be filed for 12 "ticket-takers". Two organizations that own the television rights to the games applied for about 250 visas for workers. White House Staff is monitoring this issue with Labor, State, and INS. Organized labor is unhappy at this point.
- **Malden Mills:** On June 4, the ETA announced \$1 million in funding for a pilots and demonstration grant for incumbent worker training at the Malden Mills textile plant. Malden Mills suffered a massive fire at its industrial complex on the night of December 11, 1995. Governor Weld has been critical of the Administration's handling of funds for the workers of Malden Mills. However, DOL responds that it has been very supportive of the workers and is doing all it can appropriately do.
- **Detroit Newspapers:** On May 30 and 31, representatives of Teamsters Local 372 and the Detroit Newspaper Agency engaged in another round of meetings aimed at ending the strike at the *News* and the *Free Press* which began last July. They plan to meet again on June 10.
- **Secretary's Schedule:** On June 11-12, Secretary Reich will attend the annual International Labor Conference of the International Labor Organization in Geneva, Switzerland.

DEPARTMENT OF TRANSPORTATION

- **Moving Kids Safely:** On June 10, Secretary Peña will convene the second Moving Kids Safely Conference. The three day conference brings together safety, health, education, and other professionals to create partnerships, share expertise, and expand their ability to identify and address child transportation safety problems in their communities.
- **Secretary Travel:** On June 13-14, Secretary Peña will travel to Chicago and Texas. In Chicago he will attend a FAA event and in Texas he will attend a DART opening.
- **Airport Grants:** Secretary Peña released grants for airport improvements in FL, IL, CO, NJ, OR, MN, NV, MO, MT and AK. Radio actualities with messages from you were included in announcements for Midway and O'Hare Airports in Chicago and Philadelphia International and for several airports in central Florida.
- **Union Pacific/Southern Pacific (UP/SP) Merger:** On June 3, the Department of Transportation filed in the UP/SP merger proceeding before the Surface Transportation Board (STB). The Department opposed the merger unless the STB orders divestiture

of UP/SP parallel lines in Texas, to preserve two-carrier competition. DOT plans to participate in oral arguments scheduled for July 1.

- **Crash of ValuJet Flight Aftermath:** Investigation of the fatal accident of ValuJet Flight 592 has entered its fourth week. 55 percent of the aircraft has been recovered. The voice and flight recorders have both been recovered. Positive identification has been made on 24 of the 110 people on board. NTSB has issued urgent recommendations to the FAA and Research and Special Programs Administration (RSPA) addressing policies of air carriers receiving and shipping hazardous materials.
- **Japan:** On June 3-4, U.S. and Japanese aviation officials concluded discussions in Tokyo with a limited agreement to continue services that were due to expire in early June and an agreement to meet in Washington June 27-28. They could not agree, however, on a number of key issues involving air passenger services. The U.S. side agreed to extend Japan Air Lines' authority to increase weekly Sendai-Honolulu frequencies. Japan agreed to extend until July 8 United's increase flights in the Los Angeles-Tokyo market.
- **Recall Decision and Order:** On June 4, NHTSA issued a final decision that approximately 91,000 1995 Chrysler Cirrus and that Chrysler Corporation recall these vehicles. On the same date, a motion was filed with the U.S. District Court in Washington, DC, on behalf of NHTSA by the U.S. Department of Justice to enforce the recall.
- **ValuJet Hearing:** On June 25, FAA Administrator Hinson is scheduled to appear before the Aviation Subcommittee of the House Transportation and Infrastructure Committee on the recent ValuJet crash in Florida. The focus of the hearing is likely to be the FAA's safety oversight of this new-entrant carrier.

UNITED STATES TRADE REPRESENTATIVE

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- **Florida Agriculture:** Senior USTR officials met with Florida's Deputy Commissioner of Agriculture along with tomato and pepper industry representatives to discuss the section 201 and anti-dumping cases. In recent months, the Administration has taken a number of steps, including support for safeguard legislation, to mitigate a dramatic increase of Mexican imports.
 - **Japan Negotiations:** Last week, Ambassador Shapiro led the USTR effort to finalize the determination and action plan for the 301 investigation regarding access to the Japanese market for U.S. film. He also continued discussions on the extension of a bilateral agreement on semiconductors, which expires on July 31, as well as the insurance dispute with Japan.

- **Ambassador's Schedule:** On June 12, Ambassador Barshefsky will participate in the US-EU Summit at the White House. On June 13, she will host a meeting of the ACTPN, featuring discussions on China IPR, overall trade policy with China, the Agriculture Trade Policy Report, the WTO Singapore Ministerial and trade issues concerning Japan and Canada. On June 14, she will meet with John Sweeney.

SMALL BUSINESS ADMINISTRATION

- **Small Business Week:** On June 4, you addressed the National Small Business winners as part of Small Business Week. Other senior administration officials also spoke to the group during the week including Leon Panetta, Alice Rivlin, and James Lee Witt. Your remarks were enthusiastically received. Don Dye of Callaway Golf was pleased that you participated in the dinner.
- **Press Conference:** On June 4, Speaker Gingrich and House Small Business Committee Chair Jan Meyers held a press conference charging that you have broken promises by vetoing important small business legislation. On June 5, Senate Small Business Committee Chair Bond held a similar press conference. The SBA responded with a statement from Administrator Lader laying out the accurate record of the administration's accomplishments for small business.
- **Apple Computers:** On June 4, Apple Computers announced that it would donate \$1 million worth of equipment to SBA's Small Business Institutes around the country continuing their public-private partnership.

FEDERAL EMERGENCY MANAGEMENT AGENCY

- **Alaska Wildfire Update:** Today you declared disaster in the State of AK, providing federal assistance to the affected areas. On Sunday and Monday, Director Witt will be leading a team that will further assess the damage. As of June 6, the latest reports indicate that more than 150 structures have been destroyed, with at least 1,000 people evacuated from the affected areas. At least 282 individuals have been sheltered by the Red Cross, while 80 prisoners were evacuated from an endangered correctional facility. The town of Wasilla could be jeopardized if the fire continues to spread eastward across the Parks highway. The fire is estimated to have burned at least 56 square miles. In the Big Lake area, as many as one-third of the homes have been destroyed. 1,000 additional firefighters are expected, but the fire commander indicated that even with their help, the fire will not be brought under control unless winds shift or the area receives rain. On June 6, Director Witt was in contact by phone with Governor Knowles, Rep. Young and Senators Stevens and Murkowski concerning the fire.
- **Director's Schedule:** On June 9-10, Director Witt will lead a team of senior officials to survey the damage in AK. On June 11, he will lead FEMA's annual award program. On

June 12, Director Witt will give a speech to WA State Municipal League Annual Conference in Pasco, WA, and will meet with the Editorial Board of the *Seattle Post Intelligencier*. On June 13, he will attend an event with Oregon Emergency Services. On June 19, he will give a speech to Arkansas Municipal League Annual Conference in Little Rock.

DEPARTMENT OF JUSTICE

✓ **Court Dismisses Civil Challenge To Attorney General's Decision To Seek Death Penalty In Oklahoma City Bombing Criminal Case:** On May 29, Chief Judge Richard P. Matsch granted the government's motion to dismiss for lack of jurisdiction in Terry Lynn Nichols v. Janet Reno and Patrick M. Ryan (D. CO). The plaintiff filed this separate civil action against the government alleging that the Attorney General and the U.S. Attorney violated the Administrative Procedure Act and due process principles in the course of deciding to seek the death penalty against Nichols. The court held that the government's prosecutorial decision to seek the death penalty is not subject to judicial review under the Administrative Procedure Act.

✓ **Anti-Gang and Youth Violence Control Act Sent to Congress:** On May 29, the Department transmitted the Anti-Gang and Youth Violence Control Act to the Congress. This legislation amends the federal juvenile delinquency statutes to facilitate prosecution of violent juveniles, and it also allows the Attorney General to ban the use of rohypnol, known on the street as "roofies", by minors. The bill increases the penalties for selling drugs to minors and for using children to deal drugs.

✓ **Third Circuit To Hear Argument On Challenge To Aid To Families With Dependent Children ("AFDC") Waiver Authority:** C.K. v. New Jersey Dept. of Human Services [3d Cir.; D.N.J.]. Secretary Shalala was granted a waiver allowing the State of New Jersey to implement its AFDC Family Development Program. The program caps AFDC benefits by declining to provide increased levels of benefits on the basis of additional children born to families already receiving AFDC. New Jersey AFDC recipients challenged the waiver.

- **New Citizens:** On Flag Day, June 14, INS will swear in 8,000 new citizens in two ceremonies to be held in San Diego.
- **Juvenile Prosecuted As Adult Sentenced to 241 Months:** A juvenile prosecuted as an adult was sentenced to 241 months in prison for the brutal carjacking of a Vietnamese immigrant. The defendant and his co-defendant threatened the victim with a sawed-off shotgun, bound and gagged him, and then beat him until he was unconscious. They then stuffed him under a viaduct and covered his body with trash.

- **Defendant Sentenced For Threatening You and the Airlines:** The defendant was sentenced to 46-months in prison for making threatening telephone calls to you and two airlines. The defendant made the false bomb threats to the airlines at the Michiana (South Bend) Regional Airport while he was in prison awaiting disposition of unrelated state charges.
- **Supreme Court Notes Probable Jurisdiction in Louisiana Voting Rights Case:** On June 3, the Supreme Court noted probable jurisdiction in Reno v. Bossier Parish School Bd. This is the Justice Department's appeal from a decision by the District Court for the District of Columbia to preclear under Section 5 of the Voting Rights Act the School Board's new districting plan, which contains no majority black districts. The Department's Jurisdictional Statement in the case is expected to address (I) whether, in deciding if a districting plan was adopted for a discriminatory purpose, has a discriminatory effect on minority voting strength and whether the jurisdiction has a history of discrimination against minorities and (II) whether a voting change that is a "clear violation" of Section 2 of the Voting Rights Act is entitled to preclearance under Section 5 of the Act.
- **Supreme Court Upholds Military's Death Penalty:** On June 3 the Supreme Court upheld the constitutionality of the provisions that authorize the death penalty for U.S. service members who commit murder. The Court unanimously rejected the contentions that a President acts beyond his statutory authority in promulgating those aggravating circumstances, and that the military scheme unconstitutionally delegates legislative power to the Presidency.
- **Bureau of Prison Assigns Former Representative Daniel Rostenkowski:** On May 31, the Bureau of Prisons (BOP) assigned former U.S. Representative Daniel Rostenkowski a primary designation to the Federal Medical Center (FMC), Rochester, MN, and a secondary designation to the Federal Prison Camp (FPC), Oxford, WI. Mr. Rostenkowski's self-surrender date is June 17, although his lawyers have filed a motion seeking a delay of 10 to 12 weeks to enable him to recuperate from surgery.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- **Two HIV-Related Tests Approved:** On June 3, FDA approved Epitepe's HIV Western Blot, for use on oral fluid specimens collected by Epitepe's Orasure oral fluid collection device. With the approval of this Western Blot, an Orasure oral fluid specimen can be screened and confirmed with a single sample. Also on June 3, FDA approved the Roche Amplicor HIV-1 PCR (polymerase chain reaction) Test, aids in predicting disease progression in patients with relatively advanced HIV disease.
- **Dangerous Infectious Organisms Regulation:** Next Monday's *Federal Register* will contain a regulatory proposal to establish a network for monitoring all transfers of dangerous infectious organisms between U.S. research institutions. The American Society

of Microbiology or the American Biosafety Association will serve as the Department's "registering agent" overseeing this network.

NH and ME Welfare Proposals: NH's welfare reform proposal called the NH Employment Program Demonstration Project is in the final stage of Departmental review, and may be approved in the next week. This demonstration will test a set of provisions designed to shift the focus of welfare from a grant program to a work program. The Department also expects to approve a welfare waiver for ME in the next week. Together, ME and NH will become the 39th and 40th states to receive welfare waivers during the Administration.

Research Grant Recipients Notified of Fund Discontinuance: On June 5, the Administration on Aging (AOA) sent letters to 40 grantees to alert them to the pending discontinuation of funding for their projects due to the 90% reduction in Title IV of the Older Americans Act (OAA) as appropriated by FY96 Conference Agreement. AOA will work with grantees to stretch their current resources and has also issued an Information Memorandum to the entire aging network to inform them of this situation.

- **Advisory Panel to Discuss Emergency Contraception:** On June 28, an FDA advisory panel will discuss scientific safety and effectiveness of certain oral contraceptives for postcoital emergency use. This use has been approved in some countries and has been prescribed by some physicians in the United States, although oral contraceptives marketed in the U.S. are not labeled for postcoital use. FDA denied a November 1994 citizen petition from the Center for Reproductive Law and Policy asking that the labeling of oral contraceptives include information about postcoital emergency use.
- **Dually Eligible Population:** On June 19, HCFA will meet again with 8 state Medicaid leaders to continue the work begun at a May 8 Summit Meeting for the Dually Eligible Populations. The group will focus on special problems faced in providing services to the 5 million Americans entitled to health care under both the Medicare and Medicaid programs.
- **Wisconsin Welfare Reform:** On June 6, the House of Representatives voted 289 to 136 to pass legislation that would approve the State of Wisconsin's W-2 welfare reform project, overriding the Secretary's authority to approve welfare waiver requests. This legislation now will be sent to the Senate for its consideration.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- **FHA Improvements:** On June 7, Secretary Cisneros held a press conference at the National Homeownership Summit to announce that a new audit conducted by the Inspector General has found that, for the third year in a row, the FHA's financial

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health is growing stronger. Today, the FHA is undergoing steady financial improvement, shrinking portfolios, streamlined processes, and modern "Wall Street" business practices. This year, the FHA exceeded the Congressionally set goal for its capital ratio targets (a measure of FHA's cushion against insurance losses) *by 5 years*. The economic value of the core FHA insurance fund has tripled since 1992. The audit confirms that the reinvention of FHA is working.

VETERANS AFFAIRS

- **Agent Orange:** *ABC News* is developing a one-hour special to air in late June regarding the scientific controversy behind such issues as Agent Orange and "Persian Gulf Syndrome". VA will continue to work with *ABC* on these topics. VA officials have also been conducting radio and on-camera interviews on Agent Orange and related topics.
- **Persian Gulf Disability Compensation:** An internal analysis of VA's handling of Persian Gulf veterans' claims for disability compensation for undiagnosed illnesses was extremely critical. The results were leaked to the Gannett news service and are the subject of intense interest in the House and Senate Veterans' Affairs Committees.

SOCIAL SECURITY ADMINISTRATION

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- **Notices To Individuals Currently Receiving Social Security and Supplemental Security Income Benefits Due to Drug Addiction or Alcoholism:** Beginning June 7, and June 22, SSA will mail notices to 200,000 persons who currently are receiving benefits because of drug addiction and/or alcoholism that their benefits will terminate January 1. The notices will inform them about the law recently passed by Congress and signed by you that bars Social Security Disability Insurance and Supplemental Security Income disability benefits and Medicare or Medicaid to persons whose drug addiction or alcoholism is a contributing factor "material" to their disability. The notice states that their benefits will terminate January 1, 1997.
 - **Diversity Conference:** On June 20-22, SSA's Advisory Committees for Black, Hispanic, Pacific Asian, Women's and Employees with Disabilities will host their first joint Diversity Conference in Miami, FL to promote unity while celebrating diversity.

DEPARTMENT OF INTERIOR

- **Court of Claims Dismissal:** In a major victory for the U.S., the Court of Claims last week dismissed AK's \$29 billion damage case against the U.S. for allegedly breaking Statehood Act commitments to aggressively develop federal lands for oil and gas development and share the ensuing revenues with the State on a 90 percent state, 10 percent federal basis. The court upheld the broad discretion of Secretary Babbitt to decide when and where to lease federal lands for development and the authority of Congress to change the 90-10 percent split in

- revenues. The decision, which AK will probably appeal, has implications for the fight to open the Arctic National Wildlife Refuge to oil and gas drilling.
- **Ward Valley Tritium Study:** The Department is currently engaged in negotiations with Lawrence Livermore National Laboratory for tritium testing at Ward Valley to determine if tritium has migrated downward toward the water table. The Department is currently seeking the assistance of EPA in funding the test which is expected to cost \$150,000.
- **Grazing Update:** House Resources Subcommittee Chairman Jim Hansen has commented this week about possibly attaching the Cooley-Domenici grazing legislation to the omnibus public lands package (The Presidio and others) currently in conference. We have previously issued a Senate SAP on the grazing bill which contained a veto threat; we are about to reissue it with a letter from the Secretaries of Agriculture and Interior, along with notification that attaching any legislation that has previously received a veto message from the Administration would consequently bring a veto recommendation for the entire omnibus package.

UNITED STATES DEPARTMENT OF AGRICULTURE

- **Concentration Report Released:** On June 6, the Committee on Concentration in the Agricultural Economy presented its findings and recommendations to Secretary Glickman. The Secretary named 21 private citizens to serve on the advisory committee to offer recommendations on competition in the agricultural industry. USDA will study each of the Committee's suggestions before releasing its views.
- **Federal Food Inspectors:** An activist association representing federal food inspectors, the Government Accountability Project (GAP), issued a report recently citing the shortage of federal inspectors in meat and poultry plants. The group noted how Congressional committees have trimmed Food Safety and Inspection Service (FSIS) budgets in fiscal years 1995 and 1996.
- **Electronic Benefits Transfer Contracts:** The Food and Consumer Service (FCS) has approved Electronic Benefits Transfer (EBT) contracts for Illinois and Missouri. EBT provides electronic delivery of food stamps, AFDC, child support, and direct federal benefits to recipients.
- **Wheat Disease Issue:** As of June 2, about 70 percent of the 4,589 Arizona wheat fields have been sampled for Karnal bunt, the fungus that has affected some U.S. wheat. Of these, 156 fields (7,000 acres) have tested positive. In California, 84 percent of the 129,138 acres of wheat in the quarantine area has been sampled. To date, 65 fields comprising 3,276 acres have tested positive. In California, 99 percent of the infection has been in the Blythe area in Riverside County. Only a few positive fields have been found in California's Imperial County.

- **Cattle Producers:** On June 6, the Senate passed a concurrent resolution urging Secretary Glickman to release about 45 million bushels of feedgrains in the disaster reserve maintained under the Agricultural Act of 1970 to help distressed livestock producers. The House passed a similar version of the resolution on June 4. Secretary Glickman has asked you to grant this authority.
- **Secretary's Schedule:** On June 7, Secretary Glickman traveled to Chicago, IL to give a commencement address and attend a School Lunch Program 50th anniversary celebration. On June 8, Secretary Glickman will travel to Little Rock, AR to address the Farm Foundation. On June 10, Secretary Glickman will address Second Harvest in Chicago, IL. On June 17, Secretary Glickman will participate in the first Food Recovery Leadership Summit in Detroit, MI, where he will address the Summer of Glening Project.

DEPARTMENT OF ENERGY

- **Travel:** On May 30, the draft report on the Department's international travel by the Inspector General was presented to Secretary O'Leary. It identifies a number of deficiencies in several areas such as cost recovery, accounting, aircraft procurement, and delegation selection. Of the 29 recommendations made by the IG in the draft report, the Department has already addressed ten and DOE is in the process of promptly carrying out the remainder.
- **45 Day Oil Study:** On June 13, the Department review of market circumstances that led to the recent run-up in gasoline prices will be forwarded to you. Items to be covered include the impact on gasoline prices of crude oil markets, refinery margins, and retail margins.
- **Retail Gas Prices Decrease:** For the first time since February 12, retail motor gasoline prices decreased in nearly all regions of the country.
- **Environmental Security:** On May 28, Secretary O'Leary signed a Memorandum of Understanding (MOU) on Environmental Security between the Department of Energy, the EPA, and the DOD. EPA Administrator Browner also has signed the agreement and Secretary Perry is expected to sign the week of June 10. Once completed, the MOU will be transmitted to the State Department with a letter to Secretary Christopher signaling commitment to environmental security as a key U.S. foreign policy goal. The purpose of the agreement is to promote cooperation on international projects related to the environment and security.
- **Secretary's Schedule:** On June 17, Secretary O'Leary will speak at the World Renewable Energy Congress in Denver, CO. On June 18, the Secretary will dedicate the photovoltaic energy system in the Olympic Natatorium in Atlanta. On June 21, O'Leary will address the Society of Hispanic Professional Engineers in NM.

DEPARTMENT OF EDUCATION

• **Presidential Scholars:** June 19-23 is National Recognition Week for this year's Presidential Scholars. Events will include a Medallion Ceremony and a Kennedy Center performance by the Performing Arts Presidential Scholars.

• **Immigration Control and Financial Responsibility Act:** On June 4, the Secretary sent a report on the immigration bill to Senator Kennedy for consideration by the conference committee. The letter outlines the Administration's concerns with the House-passed language requiring legal immigrants to obtain a co-signer when borrowing under student financial aid programs. It also outlines concerns with the Senate language that would consider the income and resources of a legal immigrant's sponsor in determining eligibility for student aid.

ENVIRONMENTAL PROTECTION AGENCY

- **Faster Toxic Waste Clean Up:** On June 4, Administrator Browner issued four major Superfund policies delivering on the Administration's commitment to cleanup toxic waste sites faster, fairer, and more efficiently. With these reforms, we are limiting the costly role of lawyers and increasing community participation. The actions include: the appointment of an ombudsman in all regions; offering \$50 million in federal funds to cover the costs of financially insolvent parties; setting up interest-bearing accounts whose earnings can help contribute to meeting total cleanup cost; and increasing the number of parties no longer liable for cleanup costs.
- **Brownfields:** EPA is working with the Vice President's Office on a tentative event next week to announce 17 new Brownfields grants to cities across the country that will help clean up and redevelop abandoned, lightly contaminated urban property.
- **Two Forks Dam:** On June 5, the U.S. District Court for CO issued a decision upholding EPA's Clean Water Act Section 404(c) veto of a proposed water supply dam near Denver. EPA vetoed the Army Corps permit for the Two Forks Dam to protect a portion of South Platte River. EPA's action recognizes the river's extraordinary aquatic resource values, which CO has designated a "gold medal" trout stream. EPA's Section 404(c) veto authority was the subject of a rider that was attached to the appropriations bill submitted by Congress which you vetoed.

OFFICE OF PERSONNEL AND MANAGEMENT

- **Veterans Preference:** On May 30, Chairman Mica outlined a bill that he plans to introduce soon to strengthen protections for veterans in Federal hiring and reduction-in-force (RIF) actions. OPM has obtained a draft of the bill that will be marked up by the Subcommittee on June 13.

DEPARTMENT OF STATE

- **Bosnia:** At the June 2 Geneva meeting hosted by Secretary Christopher, the three Presidents agreed on a series of steps to fully establish conditions for elections. These include measures to ensure freedom of movement, media access, and refugee voting. They also reaffirmed their commitment to the Dayton timetable for elections by September 14. In a lengthy private session with Milosevic, the Secretary made it clear that the continued presence of Karadzic and Mladic is intolerable and could result in serious consequences for the FRY.
- **Russia Developments:** While the Russian election outcome remains in doubt, Yeltsin's poll numbers are improving. Data released June 4, by three reputable polling organizations gives Yeltsin a ten-point lead over Zyuganov. On June 4, Russian-Chechen negotiations on monitoring the ceasefire and exchanging POWs finally began. The ceasefire has been broadly implemented, with some significant violations pointing to the limits of control on both sides.
- **Israel:** Prime Minister-elect Netanyahu is continuing coalition talks with all potential partners. He would like to have at least the outlines of an agreement in place by June 7, and is aiming to present his cabinet to the Knesset on June 17. Arab leaders held several meetings this week to assess Netanyahu's victory. Presidents Asad and Mubarek met in Egypt on June 3, and Mubarek, King Hussein and Chairman Arafat met in Agaba on June 5. These meetings indicate their concern over the future policies of Netanyahu's government. Overall, and especially in public, Arab leaders are taking a wait-and-see attitude, as Secretary Christopher had urged them in a series of phone calls and messages.
- **Aegan Tensions:** The State Department continues to try to defuse Greek-Turkish tensions. General Shalikashvili cautioned both the Greek and Turkish Chiefs of Staff about military overflights of each other's territory, which threaten to create a serious incident. At present, he is satisfied that there is no need to send a U.S. ship to monitor overflights.
- **North Korea:** The State Department has proposed \$6.2 million in U.S. humanitarian aid for the Democratic Peoples Republic of Korea (DPRK), subject to White House approval. The Republic of Korea Government (ROKG) is considering \$3 million in aid. The Department has told Seoul that it would allow them to announce their decision before the Department does. These decisions probably will trigger an aid decision by Japan as well.
- **Bahrain/Iran:** The Amir of Bahrain has written you and the other Perm 5 leaders detailing Iran's interference in Bahrain and urging continued cooperation to counter Iran's aggression. The GOP has publicized the recent arrests and confessions of 29 Bahraini Hezbollah militants who admitted they had received training and financial support from Iran. Bahrain has withdrawn its ambassador from Tehran, but has not broken diplomatic relations. This new evidence helps make our case that Iran is a serious threat to the region.

DEPARTMENT OF DEFENSE

- **Bosnia:** On June 3, all parties agreed to cooperate on six major issues and that elections should be held on schedule, however strong pressure still exists to postpone the elections, particularly from the Europeans. The Department has been encouraging Ambassador Frowick to make the announcement certifying a safe and free election environment by the time of the Bosnia conference in Florence, June 13-14. He has requested to delay this announcement until early July to try to use the extra time to answer criticism of the conditions. The Department remains concerned that a delay in the announcement will increase pressures to delay the elections beyond September 14.
- **Israel:** Binyamin Netanyahu's electoral victory will not affect most long-term programs with DoD. However, frequent policy disputes over the peace process and delays in U.S. decisions to sell or provide advanced military equipment characterized our defense relationship with past Likud governments. Key issues of concern include: Netanyahu could decide that the Peres government's decision to enter into Lebanon Monitoring Group to end "Operation Grapes of Wrath" was a mistake. Such a decision could end the cease-fire and result in a new crisis on Israel's border with south Lebanon; The Peres initiative on Defense/Regional Security Pact Study Group will probably end.
- **Counterdrug Operation:** On June 1, Secretary Perry approved the deployment of a Marine Corps Ground Based Radar Detachment to Pucallpa, Peru, in support of Operation Laser Strike (OLS) and the Country Team counterdrug strategy. The detachment deploys on June 15, and redeploys December 15. OLS is a joint, combined, and interagency counterdrug operation. The objectives of the operation is to provide assistance to allied nations in disrupting the flow of illegal drugs in Latin American source zones. There are currently 185 military personnel deployed in support of OLS.
- **Secretary Perry's Schedule:** On June 11-16, Secretary Perry will travel to Macedonia, Brussels and London, June 11-16. The Secretary will first visit troops deployed in Macedonia and meet with President Gligorov and Defense Minister Handziski. In Brussels, he will attend a series of regularly scheduled meetings of NATO defense ministers. He will also meet with Russian Defense Minister General Grachev and with counterparts from countries that have signed up for the Partnership for Peace Program. He will stop in London to meet with MOD Portillo.

UNITED NATIONS

- **Haiti:** Ambassador Albright has been negotiating with her Chinese and Russian counterparts regarding the extension of the UN mission in Haiti (UNMIH). UNMIH's mandate expires at the end of June, and both the Chinese and Russians are reluctant to vote in favor of its extension. Given the unstable security situation, the government of Haiti requests that the mission be extended for another six-month period.

- **Certification:** \$80 million of the U.S. contribution to the UN budget is conditioned on Secretary Christopher's certification that the UN will not exceed its \$2.608 billion budget cap. At this point, we are not able to certify that the UN will be in compliance, in part because a number of unfunded mandates have been tacked onto the biennial budget.

CENTRAL INTELLIGENCE AGENCY

- **Drug Kingpin Arrested:** On May 28, Mexican authorities, acting on information developed by the CIA along with U.S. and Mexican law enforcement agencies, captured a major trafficker, Jose Luis Pereira Salas, and deported him to the U.S. the next day. Salas was the key manager for the Cali narcotics mafia in orchestrating multi-ton cocaine shipments through Mexico. His arrest and quick expulsion is an important success for CIA's counter-narcotics efforts and reflects Mexico's growing cooperation on counter-narcotics issues.

UNITED STATES INFORMATION AGENCY

- **Public Citizen:** On May 31, *AP* reported that Ralph Nader's Public Citizen group has filed suit against USIA to compel the Agency to make available materials which are currently prohibited from domestic dissemination under the Smith-Mundt Act, which prohibits USIA from disseminating information domestically without Congressional approval. The public citizen had previously submitted a FOIA request for USIS' International Internet address, which had also been denied due to the Smith-Mundt provisions.

cc: The Vice President
Leon Panetta
Harold Ickes
Evelyn Lieberman
George Stephanopoulos
Alexis Herman
Carol Rasco
Maggie Williams
Michael McCurry
Doug Sosnik

Marcia Hale
Donald Baer
Ron Klain
Rahm Emanuel
John Hilley



BOB LANIER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

96 JUN 10 P2:32

May 23, 1996

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

Dear Mr. President:

It is with a great deal of pride that I formally accept the offer extended to me to serve as Chair of the Rebuild America Coalition.

My administration has worked hard to improve and revitalize the infrastructure of the city of Houston and continues to look for new ways to better the city. I have read the mission statement and legislative goals of the Coalition and I fully support these objectives. I look forward to the challenges facing this position and organization and I value the opportunity to work with leaders across the nation on the important issue of revitalization of the nation's infrastructure.

I look forward to working with you on the Coalition's important mission.

Regards,

Bob Lanier
Mayor

cc: Federico Peña, Secretary of Transportation
Rodney Slater, Federal Highway Administrator

sent original to
J.M.D

6/10/96

Send to Dorskyid?

Yes ☒

no ☐

Coordinate w/
Marcia Hale
yes
C

JDH
Bunphardt

VIP Letter
BL 514. need
prompt Reply
only



FannieMae

James A. Johnson

Chairman and Chief Executive
Officer

3900 Wisconsin Avenue, NW -
Washington, DC 20016-2892
phone 202 752 6790

JIM DORSKIND:

Please coordinate
the reply.

6-5-96

Dear Mr. President -

Thank you very much for speaking at
the National Homeownership Summit. Henry
Crescenas has done an outstanding job of
energizing the entire housing industry.

I am very sorry I cannot be with
you. Our son, Alfred, is graduating
today from the fourth grade at Sidewell.

Thanks also for your outstanding
leadership and strong commitment to
adequate housing & homeownership in America.

Sincerely,

Jim

CORNWELL INSURANCE SERVICES, INC.

P.O. BOX 566

130-A N. COLLEGE AVE.

FAYETTEVILLE, AR 72702

TEL: (501) 444-9898

FAX: (501) 444-7558

DATE: 6-6-96

PLEASE DELIVER THE FOLLOWING TO: FAX NO. (202) 456-6703

NAME: Betty Curry

FIRM OR DEPARTMENT: Oral Office

SENDER: Tommy Cornwell

NUMBER OF PAGES (INCLUDING COVER SHEET) 3

REMARKS: Thanks for your help - again!
Sorry to bother you. By the way,
ask the President if he would like some
more of those Jackson Cookies. There are some
people coming to the White House this weekend
and if want them, I'll send another
supply — T.C.

NOTE: The documents accompanying this transmission from Cornwell Insurance Services, Inc. are confidential and privileged. The information is intended only for the use of the individual/entity addressed above. If you are not the intended recipient, you are hereby notified that any disclosure, distribution or the taking of any action in reliance on the contents of the telecopied information is strictly prohibited, and the documents should be returned to this firm immediately. Accordingly, if you have received this transmission in error, **PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY**, so that we can arrange for their return.

If there are problems with this transmission, please call 501-444-9898.

JIM DORSKIND:

please coordinate the reply.

*Through Seen -
 Feb
 Cornwell is
 Peter Cornwell
 Maybe a rep
 to paper
 Pres. should
 know about
 it.*

III NORTHWEST ARKANSAS TIMES III

P.O. Drawer D • Fayetteville, Arkansas 72702 • 501-442-1700 • 800-498-1991 • Fax 501-442-5477

6/6/96

Dear Bill -

I hope you're doing well and holding up through the fray. It would be nice to see you one day. It feels great being back home as editor of The Times.

I wrote today's editorial and am hoping, for the sake of our state, that you can help stop this until it is heard in court. So many people who believe in you feel as I do.

Stay Strong +
Best Always.

L. Masterson

Opinion

NORTHWEST ARKANSAS TIMES
A4

Thursday, June 6, 1996

TODAY'S QUOTE:

"It's a unique and unfortunate accident, but it's not a tragedy because we recovered both crew members in good condition." — Capt. Steve Clawson, a Pacific Fleet spokesman, concerning the accidental shooting down of a U.S. attack bomber by a Japanese destroyer during military exercises.

Viewpoint

*The public interest is
the first concern of this newspaper.*

The opinion below is that of this newspaper, as determined by members of its editorial board. Dissenting views are welcome.

Mr. President, hear our plea

THE ISSUE: The chain saws are splitting and howling in the Ozark National Forest with federal approval, even though the Forest Service admits to violating the Scenic Rivers Act and is clearly unresponsive to citizens' concerns.

OUR OPINION: We ask President Clinton to stop this intensive cutting until the case can be heard in a courtroom in November. Since this editorial is best published as an open letter and urgent appeal to President Bill Clinton, it is addressed that way.

Dear Mr. President:

The vast majority of your fellow Arkansans, and even the state, itself, are hoping you will order a stop to the intensive timber sale and tree cutting now under way in the Buffalo National River watershed area, at least until a court decides the issue.

A federal lawsuit filed by ecological groups and the State of Arkansas is scheduled for November. We ask that you silence the chain saws until both sides can be heard and U.S. Judge Bill Wilson can make a reasoned decision.

We certainly don't have to remind you of the unique and majestic sanctity of the forest that comprises the Buffalo region of Northwest Arkansas. It has been justifiably called the last best forest left to be harvested in the nation.

For that reason, alone, it should be protected rather than ravaged and destroyed like all the others.

The U.S. Forest Service has already acknowledged that it violated the U.S. Wild and Scenic Rivers Act by the way it handled its responsibilities in allowing the timber sale now under way in portions of those ancient woods.

That agency, largely bent on perpetuating its bureaucracy at the expense of our precious forests, also has not been responsive to the concerns and questions of the citizens who support it, thus violating the Administrative Procedures Act.

We are not alone in our revulsion at these practices. Poll after poll in heartland states such as Kentucky and Indiana have shown that about three-fourths of the citizens and voters are dead set against cutting in the national forests.

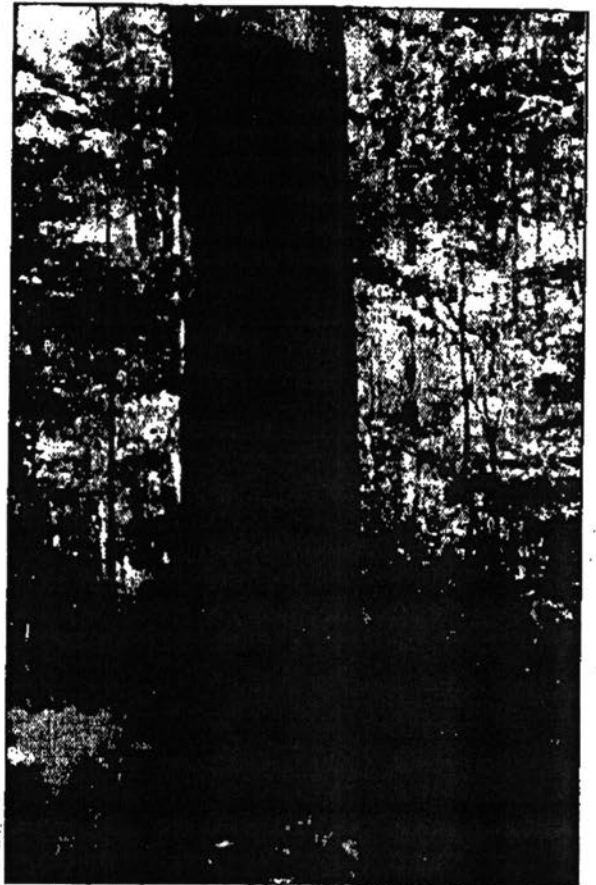
Yet the loggers are perspiring heavily in the Buffalo forest as this is being written.

The Forest Service realizes it will lose the lawsuit in November when the facts are aired. That's why that tax-supported agency is rushing to allow companies to punch holes in the bluffs

and drag out all the lumber

and

that all this hurried
virtually no regard for



Courtesy photo

Just one of the hardwood trees worth hugging in the threatened Sandy Springs region of the Buffalo Forest.

tours.

And realize that at least half of the hardwoods harvested from our precious Buffalo region will go to make pallets, most of which will be used only one time.

This cutting will be to temporarily enrich a few logging companies and perpetuate the forest service bureaucracy, an entrenched network hamstrung by its own ineptitude and embraced in an endless slow dance with the timber industry.

The forest service today has an administrative budget of \$1.3 billion. All for what? What genuine good does this agency actually do?

Calculations show it's annual budget cost each American roughly \$5.20 in 1995. The Forest Service returned a whopping 25 cents for every citizen back to the U.S. treasury. No wonder the deficit is out of control.

So if this continues, we lose some of the historic and ancient Buffalo National Forest, a few logging companies

pallets

and

watershed. Here is how a U.S. Justice Department attorney testified in April at a hearing to enjoin the lumber companies from cutting in the Buffalo region. That injunction was inexplicably denied by Judge Wilson and is under appeal to the Eighth Circuit.

The attorney was testifying on behalf of the forest service when she said, "None of the values (studied) are water quality, period. Theoretically, you could pollute the water as much as you wanted and that's not an outstandingly remarkable value."

Imagine the pristine Buffalo and its crystal clear waters and contrast that with these comments by the attorney for the forest service about criteria applied to the Buffalo region for cutting there.

One area set to be cut in the Buffalo forest, Sandy Springs, is a stand of trees and forest vegetation where people still pay to take ecology

self-seeking agency that drains so much from our national treasury while encouraging and permitting irreparable harm to our state and national ecologies.

But for now, Mr. President, we are simply asking you to stop this cutting until both sides can be heard in court. There is nothing to be lost by following this rational course and perhaps a lot to be gained back home here in the state that has given you so much.

We know the first lady received a message dated June 5 in which University of Arkansas law professor Ron Leflar asked her to seek out Agriculture Secretary Dan Glickman's attention to this issue.

Leflar's hope was that the Forest Service would voluntarily suspend the Buffalo River watershed timber sale program until the agency complies with the law.

We still have faith, Mr. President, that you will see the right thing is done.



National
Association of
Broadcasters, Inc.

1700 Washington Street
Arlington, VA 22314-2357

Leon / Nelson / CDD

real night to them

BC

THE PRESIDENT HAS SEEN

C. 10.96

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

JIM DORSKIND:

Please coordinate
the reply.



Dorskind / Brubaker
This needs to be
coordinated with
NSC -
cc: NSC



International Association of
Chiefs of Police
515 North Washington Street
Alexandria, VA 22314-2357
Phone: 703/836-6767; 1-800/THE IACP
Fax: 703/836-4543
Cable Address: IACPOLICE

President
David G. Walchak
Chief of Police
Concord, NH

Immediate Past President
John T. Whetsel
Chief of Police
Choctaw, OK

First Vice President
Darrell L. Sanders
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Naturalization Service
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Bellingham, WA

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Provincial Police
General Chairman
Lloyd Jennings
Superintendent
Indiana State Police
Indianapolis, IN

Past President and Parliamentarian
Charles D. Reynolds
Dover, NH

Executive Director
Daniel N. Rosenblatt
Alexandria, VA

June 6, 1996

The Honorable William J. Clinton
President
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of the International Association of Chiefs of Police and all of the law enforcement officers we represent, we would like to bring to your attention two technology-related issues which we believe are critical to public safety and the ability of law enforcement to effectively combat violent crime and illegal drugs. These are funding for digital telephony and the problem of encryption.

America's telephone systems are being converted to a digital format. These new systems will not support court-authorized wiretaps, a technique fundamental to our ability to protect the public safety. Hundreds of court authorizations are obtained by state and local police and most of them are in furtherance of major drug investigations. The issues we raise here, encryption and digital telephony, do not expand the authority to conduct wiretaps but merely permit our law enforcement agencies to stay technologically current with the state of the art.

Following your leadership two years ago, Congress enacted the Communications Assistance to Law Enforcement Act, legislation designed to deal with this problem. The Act authorizes \$500 million over four years to reimburse the telephone companies for modifying existing digital equipment that cannot accommodate wiretaps. This funding is desperately needed, and your commitment to fund the \$500 million fully, as demonstrated by the inclusion of \$100 million in the FBI's Fiscal Year 1997 budget request, is another example of your leadership on law enforcement issues. Without this funding, there is great risk to public safety.

Like digital telephony, the uncontrolled use of robust encryption that does not accommodate public safety concerns will seriously jeopardize our ability to combat violent crime and illegal drugs. Soon, affordable, readily available encryption could substantially defeat our ability to understand court-authorized interceptions of conversations and data. Criminals and terrorists

President William J. Clinton
June 6, 1996
page 2

will, with impunity, be able to communicate freely by telephone or computer, as well as store data and evidence of criminal wrongdoing.

We recognize the tremendous commercial benefit and necessity for the use of robust encryption. What is desperately needed, however, is a balanced encryption policy and legislation that will satisfy the commercial needs of the private sector, recognize the reality of market forces, and address the public safety concerns of law enforcement.

We are steadfast in our belief that the only viable solution that will not severely jeopardize public safety by completely defeating present law enforcement capabilities is a key escrow scheme. While much can be debated about how best to develop and implement such a system, the stark reality is that there are no other technical solutions that afford adequate public safety protections while giving the private sector robust encryption. Moreover, contrary to what some believe, there are significant limitations--both from a technology and resource standpoint--in the ability of government to break encryption.

We have heard all the arguments that it is too late to address the encryption issue because unbreakable encryption is readily available on the Internet and that the public and foreign markets will not accept American produced encryption that incorporates a key escrow system. We do not accept either argument. We believe the government can properly influence market forces, legislation can control market direction, and the American public, once informed on the issue, will place public safety concerns foremost.

We are confident that, based upon your demonstrated support in this and other areas, you will remain with law enforcement on these two issues and use the power and influence of your office to ensure funding for digital telephony and a national encryption policy that recognizes the legitimate needs of law enforcement. Without success on both issues, the risk to public safety and the harm to the ability of the police to investigate and prevent the most serious crimes will be substantial.

Sincerely,

A handwritten signature in dark ink, appearing to read "David G. Walchak", written in a cursive style.

David G. Walchak
President

JIM DORSKIND:

Please coordinate
the reply.

President Bill Clinton;
1600 Pennsylvania N.W.
Washington, D.C. 20500
96 JUN 7: PL: 49

We understand that on
special occasion - if requested -
a note would be sent. At this
time we would like to request
a note from your office
wishing our parents their
50th Wedding Anniversary
Sept 7, 1996.

~~It is~~ sure they would
be delighted to hear from you.

Tell & Sarah (Pagano) Adolfo
1056 Coolidge Ave 4/8218
River Rouge, Mi
Phone: 313-8436587

Thank you very much
it will greatly appreciate

Sincerely, Emil Schults - daughter
Adolfo Adolfo - son.

1056 Coshedg
Rivers Rouge, Mi
48218



President Bill Clinton
1600 Pennsylvania N.W.
Washington, D.C.
20500

Attention "Secretary"



THE WHITE HOUSE

WASHINGTON
June 10, 1996

MEMORANDUM FOR LIEUTENANT JAMES LUENSMAN
Control Center, Rm. 058 OEOB

FROM: TODD D. STERN *TDS*
Assistant to the President
and Staff Secretary

SUBJECT: Access to Offices

The following individuals should be given access to the offices of Todd Stern and Thomas F. (Mack) McLarty, III. These offices are located on the Ground Floor of the West Wing.

Todd Stern	Thomas F. (Mack) McLarty, III
Phillip Caplan	Patty McHugh
Helen Howell	Molly Varney
Sharon Wagner	Steve Ronnel
Carol Cleveland	
Debbie Bird	
Gertrude (Trudy) Roddick	
Jennifer Marie Schaeffer	

cc: Post E1
P. McHugh
C. Cleveland

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE:

6/11/96

TO: Kathy Wallman

FROM: Staff Secretary

We'd like your clearance
before giving this letter
to POTUS for signature.

Thanks.

Helen

6-2706

THE WHITE HOUSE
WASHINGTON

cc: Wine.
• EPA Executive Secretary,
Sandy Hudnall
• Commerce Dept Exec Sec
• SBA Exec Sec
• Fran McPoland
EPA Mc: 1600

June 12, 1996

Roger P. Hoffman
President and CEO
Hoffman Environmental Systems
Post Office Box 880
Green Bay, Wisconsin 54305-0880

Dear Roger:

Thanks for your letter of May 17 and for the update on your business. I'm glad things are going so well for you and that you're making progress on the "micro" paper mill/converting project. As a follow up to your meetings with Katie McGinty and Brian Johnson, you may want to contact Fran McPoland, the Federal Environmental Executive. She implements the recycling executive order and can be reached at (202) 260-1297.

Though I never know what my schedule will hold, please make sure to call my office before your next visit to Washington -- I'd like to try and see you.

Sincerely,