

ASBESTOS IN NEW YORK SCHOOLS

PHOTOCOPY
PRESERVATION

MEMORANDUM
OF CALL

Previous editions usable

TO

BB

☒

YOU WERE CALLED BY

☐

YOU WERE VISITED BY

Tedd Stern

OF (Organization)

☒

PLEASE PHONE

☐

FTS

☐

AUTOVON

2702

☐

WILL CALL AGAIN

☐

IS WAITING TO SEE YOU

☐

RETURNED YOUR CALL

☐

WISHES AN APPOINTMENT

MESSAGE

John Makare, 260 1866

Joe Calha, 260 1815 (hr.)

Sylvia 260 7960

RECEIVED BY

Sanja

DATE

11.4.93

TIME

11:45

63-110 NSN 7540-00-634-4018

☆ U.S.G.P.O. 1992 312-070-40024

STANDARD FORM 63 (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

PHOTOCOPY
PRESERVATION



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

TO:

Brian Burke
456-7028

FROM:

Sylvia Lowrance

COMMENTS:

Per your request -
Asbestos in New York City
schools

Number of Pages to follow: 1

Date:

10-11-93

11/15/93

Time:

Transmission Number: (202) 260-3684

Verification Number: (202) 260-7960

Office of the Administrator
401 M Street, S.W.
Room 1200 West Tower
Mail Code: A-100



Printed on Recycled Paper

UPDATE ON ASBESTOS IN NEW YORK CITY SCHOOLS

During this past summer, the New York City Schools Construction Authority initiated "Operation Clean House", an accelerated asbestos remediation program in all 1069 New York City schools. In the early stages, discrepancies were found between the content of the AHERA management plans and what was actually found in the schools. As a result, the SCA Inspector General conducted and investigation into charges of fraud.

The work was not completed by the end of the summer, and school opening was delayed by two weeks. Work is still not completed at 350 schools, and recent news articles indicate that the City is running out of money to complete the job.

Parents are concerned about the health of children attending schools where cleanup work is continuing. They also question the thoroughness and quality of work done at schools that have been completed.

In response to Operation Clean House, Region 2 increased asbestos NESHAPS compliance inspection activities at schools in New York City. We have completed a total of 56 inspections at schools required to notify EPA under NESHAPS of plans to remove more than the applicable amount of asbestos containing material. Fifteen of these 56 inspections were conducted jointly by trained EPA NESHAPS and AHERA inspectors to verify that the remediation work was being conducted by AHERA certified contractors and workers.

We also inspected 31 of the ongoing smaller remediations (those not required to report under NESHAPS) to verify the use of AHERA certified contractors and workers. In addition, we verified that the SCA is retaining a record demonstrating that appropriate post remediation air clearances are conducted. These inspections resulted in the issuance of both NESHAPS and AHERA complaints.

Kathy Callahan met with the concerned parents and their consultant who wrote to you asking for a greater EPA role in the problem with AHERA compliance in New York City. She explained our increased inspection activities and agreed to suggest to NYC Deputy Mayor Norman Steisel that EPA sit on the City's Asbestos Task Force. He reacted positively, and was to have NYCDEP Commissioner Appleton call with an invitation to the next meeting.

We now have a meeting scheduled for November 22 with Amy Linden, Chief Executive for School Facilities of the NYC Board of Education. They have asked for our assistance in "getting AHERA back on track" in New York City.

We will keep you informed of any new developments, and will provide you with a brief summary of our November 22 meeting.

Honorable Jose Serrano
United States House of Representatives
Washington, D.C. 20510-6000

Dear Jose:

Thank you for your recent letter requesting Federal technical and financial assistance to help resolve the asbestos-related problems in the New York City public school system. I regret deeply the burden this situation has placed on New York City students and their families.

In response to your request, my staff has conferred extensively with the relevant Federal agencies, including the Army Corps of Engineers (the Corps), the Environmental Protection Agency (EPA), and the Department of Education. EPA's regional office is working closely with local and state officials by providing expertise in asbestos abatement and inspection efforts. Specifically, EPA has increased the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) compliance inspections at schools in New York City. To date, EPA has completed 56 inspections at schools required to notify EPA under NESHAPS of plans to remove more than the applicable amount of asbestos containing material. Fifteen of these 56 inspections were conducted jointly by trained EPA NESHAPS and AHERA inspectors to verify that the remediation work was being conducted by Asbestos Hazard Emergency Response Act (AHERA) certified contractors and workers. Additionally, EPA inspected 31 of the ongoing smaller remediations (those not required to report under NESHAPS), to verify the use of AHERA certified contractors and workers.

My staff will continue to facilitate the technical expertise which EPA's regional office is providing to New York City.

In the past, EPA's asbestos related technical expertise was supplimented by the Asbestos Loan and Grants program which has, over the last several years, made available over \$350 million in loans and grants to local education agencies nationwide for the purposes of asbestos hazard abatement and management. However, this year, Congress decided not to fund this program for FY 94, and all 1993 appropriated monies under this program (\$31.25 million for loans and \$5.87 million for grants) are unavailable. Therefore, regrettably, no Federal financial assistance is available.

The Corps, unlike EPA, has limited in-house asbestos abatement expertise. Any effort by the Corps would necessarily rely on the assistance of contractors. Consequently, to shift abatement responsibilities to the Corps would disrupt and delay the current abatement activities where local and state entities have already enlisted the services of contractors. Moreover, pursuant to the Intergovernmental Cooperation Act, 31 U.S.C. 6505, the City of New York would have to fully reimburse the Corps for any assistance the Corps provides.

My staff will continue to work with EPA to assure that the Federal government continues to provide all possible technical and inspection expertise during this public health emergency. If you have any additional questions or ideas concerning this emergency, please contact Carol Rasco, my Domestic Policy advisor. Ms. Rasco's staff is monitoring this issue closely.

Sincerely,

The White House

FAX COVER SHEET

Office of Domestic Policy

Kathryn Way
Special Assistant to the President

Cookie Walden
Staff Assistant

Old Executive Office Building, Room 218
Washington, DC 20500
Phone: (202)456-7777 FAX: (202)456-7028

To Leann

, FAX No. 6221

From Brian Burke **Date** 11/12/93

Number of Pages (including cover sheet) 3

Comments:

Attached is the revised letter to Jose Serrano regarding asbestos in NYC schools.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

TO:

Brian Burke
456-7028

FROM:

Sylvia Lawrence

COMMENTS:

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Asbestos in New York City
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Office of the Administrator
401 M Street, S.W.
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CERCLA LEGISLATIVE DRAFTING TEAM**TO:**

		Phone	Fax
Thomas Roberts	EPA	260 5200	260 4046
Elliot Laws	EPA	260 4610	260 3527
Gerry Clifford	EPA	260 4814	260
Martha Crosland	DOE	586 5793	586 7757
Heather Ross	NEC	456 2802	456 2223
Brad Campbell	DOJ	514 7980	514 4231
Richard Carro	Treasury	622 1146	622 1188
Craig O'Conner	Commerce	482 1400	482 4040
Linda Breggin	OEP	456 6224	456 2710
Brian Burke	DPC	456 2995	456 7028
Blake Velde	DOD	(703) 697 8357	(703) 697 7548

FROM: White House Office on Environmental Policy
DATE: 11/10/93
RE: Drafting Meeting

Our next CERCLA drafting meeting will be on Friday the 12th from 12-1pm. The meeting is scheduled in Room 476. If the meeting continues past 1pm, we will move to Room 230 for the remainder.

UPDATE ON ASBESTOS IN NEW YORK CITY SCHOOLS

During this past summer, the New York City Schools Construction Authority initiated "Operation Clean House", an accelerated asbestos remediation program in all 1069 New York City schools. In the early stages, discrepancies were found between the content of the AHERA management plans and what was actually found in the schools. As a result, the SCA Inspector General conducted an investigation into charges of fraud.

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We will keep you informed of any new developments, and will provide you with a brief summary of our November 22 meeting.

OFFICE OF THE ASSISTANT SECRETARY
OF THE ARMY (CIVIL WORKS)

Room 7126, Pulaski Building
20 Massachusetts Avenue, NW
Washington, DC 20314-1000

Telecopier Cover Sheet

Fax Number (202) 504-4389/Office Number (202) 272-0126

Date: October 28, 1993

Please deliver the following pages to:

NAME: Brian Burke FAX #: (202) 456-7028

AGENCY: Domestic Policy Council

FROM: *Dr. Robert N. Stearns, Deputy Assistant Secretary
(Project Management)*

Number of pages to follow: 7

ADDITIONAL MESSAGES:

Asbestos tasking, as discussed.

504 4268 Leslie

WHITE HOUSE

EXPEDITE

TASKING CONTROL DOCUMENT

543102521

Control # 9337544W W Agency Date of Entry 931021 Document Date 930923
 Originator ENGEL, ELIOT L./SERRANO, J. Source WHLO Classification U
 Subject REQ PRE'S ASSISTANCE IN HELPING TO RESOLVE THE ASBESTOS PROBLEM AFFECT-
 ING THE CITY OF NY PUBLIC SCHOOL SYSTEM

Suspense Dates
 OSD

Agency 931029

OSA

Action Officer

Telephone

Disposition

Action Office SACW

Assisting Office

Information Copies

2nd Disposition Date

Action Further Assigned

Action Required

() Appropriate Action	() Advance Copy
() Comply with direction under	() Information Copy
(X) Prepare Reply	Signature of SEE REMARKS.
() Reply Direct	with copy to 4CYS, WHLO, DAEC-CA, RM 3D652
(X) Other/Remarks	

Coordinate with ASD LA.

Remarks PREPARE A DRAFT REPLY (ORIG + 3 CYS) AND COMPLY WITH
 INSTRUCTIONS INDICATED ON ATTACHED SD FORM 14. SIGNATURE OF AN AUTHORIZED
 OFFICIAL WILL BE SHOWN ON THE ATTACHED PREPRINTED MEMO TO THE ES. PLS RTND
 IG CORRESPONDENCE, SD FORM 14 AND 391, ORIG CY OF OSA WHLO TASKER WITH 4
 CYS OF RESPONSE ONLY TO OSA WHLO, RM 3D652, PENTAGON, NLT COB OF SD.
 Tasking Official MR GRANT, OSA, WHLO, DAEC-CA Telephone 6977425 Clerk CWG
 Tasking Official (2nd Disposition) Telephone

SPECIAL ACTION

EXPEDITE

WHITE HOUSE

7648

ID# 038386

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

INCOMING

DATE RECEIVED: OCTOBER 01, 1993

NAME OF CORRESPONDENT: THE HONORABLE ELIOT L. ENGEL

SUBJECT: REQUESTS PRESIDENT'S ASSISTANCE IN HELPING TO
RESOLVE THE ASBESTOS PROBLEM AFFECTING THE
CITY OF NEW YORK PUBLIC SCHOOL SYSTEM

		ACTION		DISPOSITION	
ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
HOWARD PASTER		ORG	93/09/29	HP	93/09/29
ANTHONY LAKE	REFERRAL NOTE:	RSA	93/10/01		
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				

COMMENTS: ADDITIONAL SIGNEE AND RESPONSE ATTACHED

ADDITIONAL CORRESPONDENTS: 1 MEDIA:F INDIVIDUAL CODES: 1230

MAIL USER CODES: (A) D NY

(B) (C)

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*****
*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                      *A-ANSWERED              *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *B-NON-SPEC-REFERRAL *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *C-COMPLETED          *      OF SIGNER  *
*D-DRAFT RESPONSE      *S-SUSPENDED          *      CODE = A    *
*F-FURNISH FACT SHEET  *                      *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                      *      OUTGOING   *
*R-DIRECT REPLY W/COPY *                      *                      *
*S-FOR-SIGNATURE       *                      *                      *
*X-INTERIM REPLY       *                      *                      *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

SCANNED

NATIONAL SECURITY COUNCIL

ID 9307648

REFERRAL

DATE: 07 OCT 93

93 OCT 21 11:02

MEMORANDUM FOR: SCOTT, M

WH CORRESPONDENCE

DOCUMENT DESCRIPTION: TO: PRESIDENT

SOURCE: ENGEL, ELIOT L

DATE: 23 SEP 93

SUBJ: LTR TO PRES FM REP ENGEL SUGGESTS ARMY CORPS OF ENGINEERS TO REMOVE
ASBESTOS FM NY CITY PUBLIC SCHOOLS

REQUIRED ACTION: APPROPRIATE ACTION

DUE DATE:

COMMENT: NSC DOES NOT HANDLE ISSUES W/ ARMY CORPS ENGINEERS. PLEASE FORWARD
TO DOMESTIC POLICY COUNCIL

(FOR)



WILLIAM H. LEARY

NSC RECORDS MANAGEMENT OFFICE

3723

RCV BY:Xerox Telecopier 7020 : 8-28-93 : 18:10 :

2022254227

2024588220:8.2

038386

ELIOT L. ENGEL
7th DISTRICT, NEW YORK

COMMITTEES

FOREIGN AFFAIRS

SUBCOMMITTEE ON EUROPE AND
THE MIDDLE EASTSUBCOMMITTEE ON ECONOMIC POLICY,
TRADE AND ENVIRONMENT

SUBCOMMITTEE ON AFRICA

EDUCATION AND LABOR

SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATIONSUBCOMMITTEE ON LABOR-MANAGEMENT
RELATIONS**Congress of the United States**
House of Representatives
Washington, DC 20515-3217WASHINGTON OFFICE
1425 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3217
(202) 225-2404DISTRICT OFFICE
3015 Johnson Avenue
Brooklyn, NY 10463
(718) 756-8700488 East 135th Street
Brooklyn, NY 10466
(718) 682-0400177 Chelsea Lane, Room 3
Brooklyn, NY 10475
(718) 320-1314

September 23, 1993

SA3102521

Honorable Bill Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Clinton,

We are writing to request your assistance in helping to resolve a grave situation affecting the City of New York.

As you are probably aware, the New York City public school system has been paralyzed by an asbestos crisis. In order to attempt a proper inspection of the more than 1,000 city school buildings, the start of the school year was delayed earlier this month. Despite that delay, hundreds of schools still remain totally or partially closed because they have not been properly inspected or because they have been found to contain asbestos.

One million students, their parents and teachers have all experienced distress, anxiety and inconvenience, and a genuine public health hazard continues to exist. It has become clear to us that the resources and expertise currently available at the local level are not sufficient to resolve this situation in a satisfactory and timely manner. Given the number of people affected, this is a disaster of epic proportions that cries for the assistance of the federal government.

This help must come in two ways: Funding and technical expertise. In the area of funding, we are exploring legislative options that might allow us to channel money to New York City for asbestos abatement, and we would greatly appreciate your support for these efforts. We also implore you to similarly explore any means available to you, either through discretionary funds or emergency authorization, that would free up funds for this purpose.

In the area of technical assistance, we have contacted the Army Corps of Engineers, which has indicated it has expertise in the area of asbestos abatement. Enlisting the assistance of the Army Corps of Engineers would apparently require Presidential approval, once a way of paying for its services is identified.

RCV BY:Xerox Telecopier 7020 : 8-28-93 : 18:10 :

2022254227-

2024588220: 3

PRESIDENT CLINTON - 2

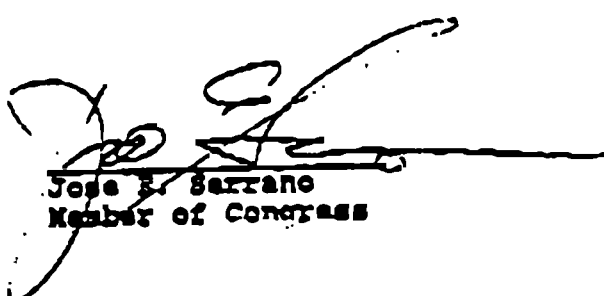
Therefore, we request that you express a willingness to approve the dispatch of the Army Corps of Engineers to New York City for the purpose of asbestos abatement if such an arrangement can be secured.

We eagerly await your response to these urgent requests, and we appreciate your attention to this matter and your continuing efforts on behalf of the American people.

Sincerely,

Eliot L. Engel

Eliot L. Engel
Member of Congress



José E. Serrano
Member of Congress

THE WHITE HOUSE
WASHINGTON

September 29, 1993

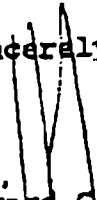
Dear Representative Engel:

Thank you for your letter regarding the asbestos problem affecting the New York City public school system. I appreciate your informing the President of your concerns.

The President has been advised of your interest in this matter, and you will receive a response from him in the near future. In the meantime, if I can be of assistance to you, do not hesitate to contact my office.

Best wishes.

Sincerely,


Howard G. Paster
Assistant to the President
for Legislative Affairs

The Honorable Eliot L. Engel
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

September 29, 1993

MEMORANDUM FOR JIM MURR

FROM: HOWARD G. PASTER
LEGISLATIVE AFFAIRS

SUBJECT: Funding for Asbestos Problem Affecting New York City
Public School System

Enclosed please find a copy of the letter that was sent to the President from Representative José Serrano (D-NY) and Representative Eliot Engel (D-NY). I have also enclosed copies of the acknowledgement letters I sent to them.

The President has requested that he see and sign every letter going to Capitol Hill. We did not want to fully answer the issues addressed in the Representatives' letter without advice from your department; therefore, I am requesting that your office draft a response and return it to LeeAnn Inadomi (WH-East Wing) within 48 hours. She will then print the letter in final form and have President Clinton sign the letter.

Thank you very much for your assistance with this matter. If you have any questions, please feel free to call LeeAnn at 456-7500.

Enclosures

THE WHITE HOUSE

WASHINGTON
October 12, 1993

MEMORANDUM FOR CAROL RASCO

FROM: BRIAN BURKE *WB*
SUBJECT: Asbestos in New York (DRAFT Letter)

Attached is a draft Presidential letter which responds to the requests for assistance made by Representative Serrano and Representative Engel. You will recall that they sought assistance for the City of New York in its asbestos inspection/abatement effort. Please review/comment and I will prepare the letter for final.

Also attached are an earlier memorandum and a copy of the letter signed by the Representatives.

1:30
Call from
Carole

DRAFT

DRAFT

October 9, 1993

Honorable Jose Serrano
United States House of Representatives
Washington, D.C. 20510-6000

Dear Congressman Serrano:

Thank you for your letter of September 23, in which you requested federal technical and financial assistance to help resolve the asbestos-related problems in the New York City public school system. I regret the burden this situation has placed on New York City students and their families.

In response to your request for financial and technical assistance, my staff has conferred extensively with the relevant Federal agencies, including the Army Corps of Engineers ("the Corps"), the Environmental Protection Agency ("EPA"), and the Department of Education. It is my understanding that EPA's regional office is in communication with local and state officials to coordinate and provide expertise in asbestos abatement and inspection efforts. We intend to facilitate the technical expertise which EPA's regional office has offered to New York City.

Until this year, EPA administered the Asbestos Loan and Grants Program which has, over the last several years, made available over \$350 million in loans and grants to local education agencies nationwide for the purposes of asbestos hazard abatement and management. However, Congress decided not to fund this program for FY 94, and all 1993 appropriated monies under this program (\$31.25 million for loans and \$5.87 million for grants) are unfortunately available. Therefore, no Federal financial assistance is available.

Concerning your inquiry about the Corps, I have been informed that the Corps has limited in-house asbestos abatement expertise. Any effort by the Corps would necessarily rely on the assistance of contractors. Consequently, to shift abatement responsibilities to the Corps might serve to further disrupt and delay the current abatement activities where local and state entities have already enlisted the services of contractors. Moreover, pursuant to the Intergovernmental Cooperation Act, 31 U.S.C. 6505, the City of New York would have to fully reimburse the Corps for any assistance the Corps provides.

I regret that there are not more funds available to directly assist New York City in its present asbestos inspection and abatement effort but will help facilitate EPA region II in their effort to provide assistance.

Sincerely,

Bill Clinton
President

Attachment

THE WHITE HOUSE

WASHINGTON

October 6, 1993

MEMORANDUM FOR CAROL RASCO

FROM: BRIAN BURKE ^{RB}

SUBJ: Asbestos in New York

DATE: October 6, 1993

The purpose of this memo is to discuss the availability of federal funding and technical expertise for the New York City Public School asbestos emergency, as requested by Representative Eliot Engel (D-NY) and Representative Jose Serrano (D-NY) (hereinafter "the Representatives"). In short, neither the Army Corp of Engineers ("the Corp") nor the Environmental Protection Agency ("EPA") have funding available for New York's asbestos emergency. Regarding technical expertise, the Corp has some expertise in asbestos removal contract management but would require reimbursement for any services rendered. EPA Region II, however, has several discrete technical assistance options available at their present funding level.

The Army Corp of Engineers

1. **Funding:** The Corp has no funding available to assist the City of New York. The Corp has authority to provide assistance to a state or local government under the Intergovernmental Cooperation Act, 31 USC 6505 ("the Act"). The Act requires that a non-federal entity fully reimburse the Corps for any technical assistance the Corp provides. Therefore, New York State or New York City would have to pay the Corp for any assistance it provides in the asbestos removal effort.

2. **Technical Expertise:** The Corps has in-house technical expertise in managing asbestos remediation contracts. The does not have the expertise or personnel to conduct asbestos remediation. In fact, if confronted with an asbestos removal problem, the Corps would have to contract with private sector firms to conduct asbestos surveys and to execute the asbestos removal.¹ In this regard, in response to the Representatives

¹ Note: The City of New York already has contracts underway for the asbestos removal work. It is not clear whether the additional time and expense needed to obtain new contracts under the Corps supervision would yield a faster or better solution to the problem.

request, the only real "expertise" the Corp has to offer is its contract management expertise. Pursuant to the Act, that service would have to be reimbursed.

The Environmental Protection Agency

1. **Funding:** EPA administers the Asbestos Loan and Grant Program, the only federal program which falls within the scope of the Representatives funding request. However, the President's FY 1994 Budget did not contain a request for the Asbestos Loans and Grants Program. In fact, no Presidential budget since the program's authorization in the mid-1980's has contained a specific request for this program. Usually, Congress adds funding for the program, but chose not to add such funding in 1994. In 1993, Congress appropriated \$31.25 million for loans, and \$5.875 million for grants under this program. Unfortunately, this money is no longer.

2. **Technical Expertise:** The EPA Regional Office which has followed this emergency closely, has technical expertise in the areas of education, training and monitoring. They are in the process of compiling a list for White House review. That list will not be available until October 7, 1993.

CONCLUSION AND RECOMMENDATION

Notwithstanding the 48 hour turn-around time for drafting a letter which responds to the Representatives request, I suggest that we wait another 24 hours to incorporate the EPA Region II technical options. There is also a remote possibility that the Department of Education has some funding available for this emergency.

Enclosure

THE WHITE HOUSE
WASHINGTON

TO: Brian Burke
FROM: Carol H. Rasco 
SUBJ: Asbestos in New York
DATE: October 5, 1993

Please see the attached. It appears to me you need to quickly look into the Army Corps of Engineers issue and decide if we are ready to draft a letter to the Congressmen or if there needs to be a briefing memo on the issue. Given that it is Congressional members, please try to have something to me by the close of business Wednesday if at all possible.

Thanks.

THE WHITE HOUSE
WASHINGTON

October 4, 1993

MEMORANDUM FOR CAROL RASCO

FROM: HOWARD G. PASTER
LEGISLATIVE AFFAIRS *HP*

SUBJECT: Presidential Correspondence

Enclosed please find a copy of the letter that was sent to the President from Representative Eliot Engel (D-NY) and Representative José Serrano (D-NY).

The President has requested that he see and sign every letter being sent to Capitol Hill. Since we did not want to respond to this letter without your guidance, I am requesting that your office draft a response and return it to LeeAnn Inadomi (WH-East Wing) within 48 hours. She will then print the letter in final form and have it sent to the President for his signature.

Thank you very much for your assistance with this matter. If you have any questions, please feel free to call LeeAnn at 456-7500.

Enclosure

ELIOT L. E
17TH DISTRICT, I

COMMITTEE

FOREIGN AI

SUBCOMMITTEE ON
THE MIDDLE

SUBCOMMITTEE ON EC
TRADE AND ENV

SUBCOMMITTEE

EDUCATION A

SUBCOMMITTEE ON ELEM
AND VOCATIONAL

SUBCOMMITTEE ON LA
RELATIC

Sep

*The President wants this
to go to Carol Rocco
for pickup of a copy for
J. Pastore -*

Hon
Pre
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Clinton,

We are writing to request your assistance in helping to resolve a grave situation affecting the City of New York.

As you are probably aware, the New York City public school system has been paralyzed by an asbestos crisis. In order to attempt a proper inspection of the more than 1,000 city school buildings, the start of the school year was delayed earlier this month. Despite that delay, hundreds of schools still remain totally or partially closed because they have not been properly inspected or because they have been found to contain asbestos.

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WASHINGTON OFFICE:

1433 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3217
(202) 225-2464

DISTRICT OFFICES

3655 JOHNSON AVENUE
BRONX, NY 10463
(718) 796-9700

655 EAST 233RD STREET
BRONX, NY 10466
(718) 652-0400

177 DREISER LOOP, ROOM 3
BRONX, NY 10475
(718) 320-2314

PRESIDENT CLINTON - 2

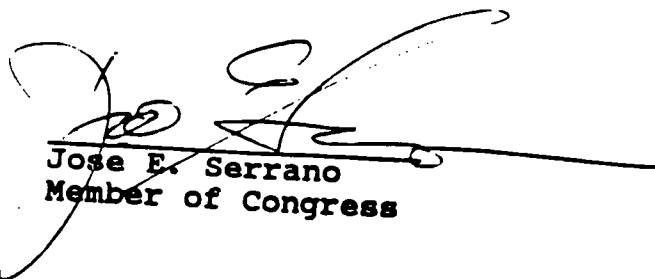
Therefore, we request that you express a willingness to approve the dispatch of the Army Corps of Engineers to New York City for the purpose of asbestos abatement if such an arrangement can be secured.

We eagerly await your response to these urgent requests, and we appreciate your attention to this matter and your continuing efforts on behalf of the American people.

Sincerely,

Eliot L. Engel

Eliot L Engel
Member of Congress

A large, stylized handwritten signature in dark ink, likely belonging to Jose E. Serrano, is written over the printed name and title.

Jose E. Serrano
Member of Congress



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

TRANSMISSION NUMBER: 202/395-5836

VERIFICATION NUMBER: 202/395-6827

ENVIRONMENT BRANCH

ROOM 8222

NEW EXECUTIVE OFFICE BLDG.

	Name	Fax #
To:	BRIAN BURKE	X 7028
From:	MARK KRAMER	
Message:	INFO FROM EPA ON ASBESTOS	
	AND NYC PUBLIC SCHOOLS	

Number of Pages to Follow: 2

SENT BY:0

:10- 5-93 : 13:34 :

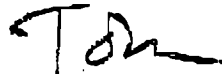
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OMB/ENVIR BRANCH:# 2

10/1/93

NOTE TO MARK KRAMER

Attached is the information you requested concerning financial assistance to the New York City public schools under the Asbestos loan and grant programs. Please give me a call if you need any additional data.


Tom Burson

SENT BY: 0

110- 5-93 ; 13:34

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OMB/ENVIR BRANCH: # 3

OPPTS-OAA

0002

NEW YORK CITY SCHOOLS PROFILE OF ASHAA APPLICATIONS

New York City Schools has never received an ASHAA award. The LEA had applied for funding in five award cycles.

AWARD YEAR

1985 Applied for four projects. Disqualified.

1986 Applied for four projects. Financially disqualified.

1987 Applied for four projects. Financially disqualified.

NOTE: Four projects applied for each year are not the same.

1988 Applied for two projects:

Brooklyn School (001-01)

- Removal of 130,000 square feet of surfacing material throughout building.

- Total estimated cost was \$1,090,000.

- FV2 project.

- Project disapproved because of ASHAA Violation: Did not provide awareness training for maintenance and custodial workers.

Susan Wagner High (003-01)

- Removal of 150,000 square feet of surfacing material throughout building.

- Total estimated cost was \$1,700,000.

- FV2 project.

- Project disapproved because of ASHAA Violation: Did not provide awareness training for maintenance and custodial workers.

1989 Applied for two projects:

LEA applied for the same two projects with higher cost estimates (\$6,000,000 and \$8,000,000 respectively). The projects were financially disqualified. The budget-per-pupil had dramatically increased to approximately \$7,000.

SENT BY: Xerox Telecopier 7021 : 10- 4-93 : 9:15AM :

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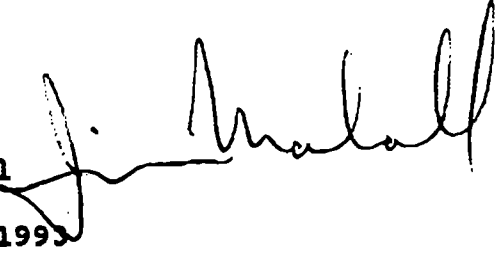
Draft

From : K. Cook

The Army Corps of Engineers has authority to provide technical assistance to a State or local government under the Intergovernmental Cooperation Act (31 USC 6505), which requires full payment for the Corps services and a written request from the non-Federal entity. Although the Corps does possess some in-house technical expertise in asbestos remediation, the magnitude of the problem in New York City is far beyond the Corps capability to execute using in-house resources. The Corps would have to contract with private sector firms to conduct asbestos surveys and to execute asbestos removal. Since the City of New York already has contracts underway for this work, it is not clear whether the additional time and expense to let new contracts under Corps supervision would yield a faster or better solution to the problem.

**U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 2
EXTERNAL PROGRAMS DIVISION
MEMORANDUM**

To: Brian Burke
Mark Kramer

From: Jim Marshall 

Date: October 7, 1993

Subject: New York City Asbestos Issue

=====

Gentlemen: In follow up to your calls with various people in this region regarding the New York City asbestos-in-schools problem, attached is a copy of an electronic memo written by my Deputy, Margaret Randol. It summarizes a meeting held here last Friday by our Acting Deputy Regional Administrator, Kathy Callahan, with a number of parents and a consultant and lists activities we agreed to undertake.

Mark -- in further follow up to a question you asked me, to the best of our knowledge, the contractors used by the City for AHERA inspections were certified.

Please advise if there is more information we can provide.

From: margaret randol (MRANDOL)
To: wmuszyns, kcallaha, bmetzger, csimon
Date: Tuesday, October 5, 1993 4:57 pm
Subject: NYC Asbestos-in-Schools

At Bill's request, I am summarizing the commitments Kathy made at our October 1 meeting with Mr. Swoszowski and parents concerned with asbestos in New York City schools. According to my notes, we agreed to:

1. Conduct inspections at four schools identified by the parents as having "unsafe" conditions.
2. Create a committee of experts to advise NYC and the parents on the NYC asbestos-in-school program. The committee will include representatives from AHERA, NESHAPS, EPD, ATSDR, and an asbestos risk expert from either PPIB or from Headquarters.
3. Review a draft Children's Charter for Environmental Rights.
4. Participate in a meeting of all involved agencies, including NYC Board of Education, NYC DEP, the SCA, NY State Department of Education, the Mayor's office, etc.
5. Provide advise and assistance to the City as they begin to update/revise the AHERA management plans.
6. Provide parents with information on EPA's asbestos research activities.

CC: JMARSHAL



FACSIMILE TRANSMITTAL

U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT
OFFICE OF THE COMPTROLLER
BUDGET DIVISION

WATER, PREVENTION, PESTICIDES AND TOXIC SUBSTANCES BRANCH

Fax. No. (202) 260-6941
Confirm (202) 260-1170

TO: BRIAN BURKE

Voice Phone: _____

FROM: TOM PURSON

Voice Phone: 260 1221

Number of pages to follow: 1

COMMENTS:

Brian -
call me if you have
additional questions.
Tom

Status of the Asbestos Loan and Grant Program

The President's FY 1994 Budget did not contain a request for Asbestos Loans and Grants. This has been true in all previous years since the program's authorization in the mid-1980s. Usually, Congress adds funding for the program, but chose not to in 1994. In 1993, Congress appropriated \$31.225 million for loans, and \$5.875 million for grants. This money is no longer available for obligation.

THE WHITE HOUSE

WASHINGTON

March 31, 1993

Dear Mr. Chairman:

We in public service have an opportunity to reconnect the bonds of trust with the American people. As I have made clear from the beginning of my Administration, I believe that political reform must be a top priority. As part of that effort, I strongly support the Lobbying Disclosure Act of 1993.

Too often in recent years, our government has not served the interests of average citizens. One major reason for this is the disproportionate impact of lobbyists on the governmental process. Today, by some estimates, as many as 80,000 people work in Washington directly or indirectly as lobbyists, representing organized interests before Congress and the executive branch. To be sure, lobbying is a constitutionally protected right, and we do not propose to limit that right. But we cannot allow the clamor of organized interests -- who too often seek to preserve the status quo -- to drown out the voice of the broad middle class.

Despite the enormous impact of lobbying, and the huge sums spent for those purposes, current laws do not begin to address the public's questions about what forces influence policy. Only a small fraction of individuals who should register under current law even do so. Disclosure forms are weak, loophole-ridden and provide meaningless information. Data regarding lobbying on behalf of foreign interests is particularly inadequate. And the definitions of lobbying in current law have not kept up with the realities of the labyrinthine regulatory state.

To restore public confidence, then, we must ensure at a bare minimum that lobbying is fully

disclosed, so the full range of activities of lobbyists is open to public scrutiny. Toward that end, I strongly endorse the passage of legislation that would strengthen and streamline lobbying disclosure, and that effectively provides the public, the media and competing interests access to information about the extent of lobbying.

This legislation would create a comprehensive, uniform statute covering all professional lobbyists without regard to which branch of the federal government they lobby. The bill provides, for the first time, a broad definition of who is a lobbyist. It requires that lobbyists identify their clients, specify on which issues they lobby, and disclose how much they spent or were paid. At the same time, it streamlines existing law to make the rules more comprehensible for individuals who must comply.

In addition, I believe the subcommittee may want to take steps to strengthen and clarify the bill. My Administration looks forward to working with the subcommittee on such improvements.

We cannot settle for business as usual in Washington; this legislation must be only the beginning of large scale political reform. My Administration has already implemented the toughest-ever restrictions on post-employment lobbying by senior officials, banning them from lobbying their agency for five years and from ever serving as a registered agent for a foreign government. We have proposed the elimination of the deductibility of lobbying expenses. This deduction inappropriately subsidizes organized interests who seek to influence the legislative process. Finally, we will shortly propose campaign finance reform legislation that will further reduce the role of organized interests in the political system.

I look forward to working with the Congress to secure speedy enactment of this important legislation. I appreciate the hard work of the subcommittee on this issue.

With best wishes,

Sincerely,

The Honorable John Bryant
Chairman
Subcommittee on Administrative
Law and Governmental Relations
House of Representatives
Washington, D.C. 20515