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[Climate Change] Memos Podesta

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THE WHITE HOUSE

WASHINGTON

November 7, 2000

MEMORANDUM FOR JOHN PODESTA

FROM: ROGER BALLENTINE 

RE: Utilities/Mercury/Climate

As we discuss the proposed EPA finding on regulating mercury, we should keep a few things in mind. A simple finding that we should regulate mercury as a “hazardous air pollutant” is great. However, if we then talk about how we would regulate, focusing only on adding “control technology” on existing coal plants, we are potentially hurting our efforts on climate, being inconsistent with other Administration efforts, and even proposing a regulatory approach less progressive than many Republican proposals.

Focusing on control technology means forcing utilities to make costly new investments in existing coal-fired power plants – even the oldest and least efficient plants. They will then need to amortize that investment and thus they are committed to keeping those plants in operation. On the other hand, we (and the Vice President as a candidate) have talked about phasing out the old inefficient plants in favor of new, highly efficient plants (which would greatly reduce carbon emissions). The main alternative for new plants is to switch to natural gas.

Switching to gas would get even greater mercury reductions than even the best control technology EPA envisions could be added to existing coal plants to reduce mercury. In addition, even improving the efficiency of existing coal plants would result in significant mercury reductions while also reducing carbon. Adding control technology, on the other hand, reduces plant efficiency and increases carbon emissions.

This does not mean that we should not announce an intention to address mercury, but we should do so in a way that does not mean a new one-pollutant focus that undercuts – and is inconsistent with – our idea of a flexible, multi-pollutant approach that encourages retirement of old plants. While EPA may not have the existing authority to announce a four-pollutant strategy, we should try to find a way to link our mercury finding to a legislative proposal to establish a flexible multi-pollutant approach (as called for by both Gore and Bush).

cc: George Frampton

November 2, 2000

NOTE FOR JOHN PODESTA

FROM: ROGER BALLENTINE 

RE: Climate/COP6/POTUS

As you suggested, we have drafted a memorandum for the President presenting him with a few of the outstanding major issues as we finalize preparations for COP6. The memo is from Sandy, Gene, George and me, and will go to Staff Secretary shortly. I attach the draft that was circulated for initials. We will need feedback from the President next week, as the negotiations begin one week from this coming Monday.

As we also discussed, since the negotiations start that following week, your climate team is interested in a Presidential event next week, perhaps on Friday. We have submitted a scheduling request, which is "pending". I attach a copy. If you have a feeling of whether or not this might happen, please let me know. I will be in Pennsylvania tomorrow and Saturday, but reachable by page or cell phone.



THE WHITE HOUSE

WASHINGTON

September 13, 2000

MEMORANDUM FOR JOHN PODESTA
GEORGE FRAMPTON

CC: KAREN TRAMONTANO
WESLEY WARREN
JULIE ANDERSON
LISA KOUNTOUPES
LINDA LANCE

FROM: ROGER BALLENTINE 

RE: LANDS STRATEGY

I attach a proposed framework for our internal discussion of strategy on Lands Legacy and CARA. This is only my thought on how to approach the issue based on our internal staff-level discussions, and does not necessarily reflect consensus on how OMB, CEQ or Leg. Affairs would approach the discussion.

LANDS ISSUES

September 13, 2000

Macro Issues:

1. What do we say now about what we want? [may need answer by Press Conference]

- We want a package that 1) fulfills our budget request; 2) adds full funding for stateside LWCF; 3) includes significant additional funding for UPARR; 4) includes funding for PILT (if Daschle needs us to say this); 5) and all of this must be made dedicated or permanent funding. OR
- We want [all the above] and 6) new funding for coastal states.

2. What is our minimum, at the end of the process, needed to have a victory?

- Our budget fully funded, but with no cap and fence or other dedicated funding. [We have WH staff consensus that this is not enough]
- Our budget fully (or close) funded *and* cap and fence. [Hard to say no to this, but we would be harshly criticized by many on Hill and the non-Green Group CARA coalition].
- Some version of the CARA bill, along the lines of the Senate Bill. [Without changes, we would be criticized by a number of enviro groups].
- Our budget plus Stateside, UPARR.

Tactical Issues:

1. What do we say in Interior Approps negotiations about what we need in the Interior bill?

2. Can we resolve the Interior bill without resolving all CARA issues?

3. Do we have any realistic alternative to achieving these goals via the appropriations process? [Push for floor action; tax bill; other]

THE WHITE HOUSE
WASHINGTON

August 11, 2000

MEMORANDUM FOR JOHN PODESTA

CC: JACK LEW
GEORGE FRAMPTON
SYLVIA MATHEWS
GENE SPERLING
DAVID BEIER

FROM: ROGER BALLENTINE 

RE: End Game Energy Tax Priorities

As you know, we have made our energy/climate change tax proposals a key part of both our domestic climate change policy and our response to claims that this Administration lacks a coherent energy policy. Treasury scored our total FY01 tax package at more than \$4 billion over five years.

If there is a vehicle for some sort of tax package this year, and assuming that we could not add the entire energy tax package, I have attached two fallback scenarios. The first is a small package which scores at about \$.896 billion (over five years), and a second package which scores at about \$2.096 billion. The only difference in the two is that the latter contains the consumer auto tax credit – perhaps the most politically relevant of all. These proposals are either our exact proposals, or versions reflected in bipartisan bills pending in the Congress. For the latter, the scoring is done by the JTC.

Note that these two packages address our two most pressing energy issues. The smaller package is all about expanding capacity and forms of electricity generation. The autos package deals directly (albeit long term) with gas prices.

I designed these smaller packages by weighing the cost, the political support, and the environmental benefit of each. I believe it is critical that any larger tax deal that includes more than one discreet issue includes some portion of our energy/climate package. Such credits will be lasting and transformational, and would help significantly with our international negotiations.

Close Hold. Not Administration Policy.

Possible Elements for Energy Related Tax Credits Package

Tax Proposal	FY01 5 yr. est.
Credit for Purchase of Fuel Cells	.010
Electricity Production from Biomass (including existing facilities)	.294
Credit for Purchases of Solar Energy Systems	.132
Consumer Credit for Purchases of Super Efficient Appliances (clotheswashers and refrigerators)	.272* (JTC)
Electricity Production from Landfill Methane	.320
Total (without Cars)	1.028
Consumer Tax Credit for Purchase of Efficient Vehicles	1.2* (JTC)
Total with Cars	2.228

This table represents the tax credits most likely to have traction with Congress this year. These packages differ significantly from the Administration's proposed package. Left out are: wind (\$62 million; doesn't expire until 6/02); solar (\$132 million; expands existing credit); energy efficient homes (\$633 million; some interest on the Hill, but complicated and controversial); combined heat and power facilities (\$10 million); co-firing biomass w/ coal (\$300 million).

There are pending bills that contain similar or identical provisions for each of these items, including: biomass (Grassley); super energy efficient appliances (Grassley, Rockefeller, Nussle, Tanner); autos credit (the entire Michigan House delegation, and Democratic Senate Leadership bill); landfill methane (Camp, Johnson (CT) et al); solar energy systems (Allard and Salmon).

* This assumes we would include the proposal supported by the auto industry and introduced by the Mich. Delegation. The scoring, therefore, is JTC scoring. The structure of the credit is identical to the Administration's except that theirs runs from 2000 to 2008, and ours runs from 2003 to 2008.

Close Hold. Not Administration Policy.

THE WHITE HOUSE

WASHINGTON

August 11, 2000

MEMORANDUM FOR JOHN PODESTA

JACK LEW

SYLVIA MATHEWS

CC: GEORGE FRAMPTON
NEAL LANE
MARTHA FOLEY
BOB KYLE
WESLEY WARREN

FROM: ROGER BALLENTINE 

RE: CLIMATE CHANGE APPROPRIATIONS

To help negotiate the elements of our final climate change budget, I lay out here key funding priorities by initiative and by appropriations bill. I also include suggested fallback amounts for each bill. Success in funding these priorities will have significant environmental benefits and will assist greatly in our international negotiations.

1. **International Clean Energy Initiative:** Promoting exports of clean energy technologies (DOE, USAID, Commerce, TDA, ExIm).
2. **Bioenergy Initiative:** To help meet the President's goal of tripling U.S. use of bioenergy and bioproducts by 2010 (USDA, DOE).
3. **Climate Change Technology Initiative (CCTI):** Researching, developing and deploying clean energy technologies (DOE, EPA, USDA, HUD).
4. **Clean Air Partnership Fund:** To promote clean air through Federal, state and local partnerships (EPA).

While I would certainly like our going in position to be to seek the President's full requested level, we could claim a significant victory with an additional \$250 million or so above the House or Senate levels for these priorities. I have attached a short summary of specific positions that we might take on each of the relevant appropriations bills to reach that outcome. While these positions are labeled "Alternative Positions", they should be seen more as bottom-line numbers.

Close Hold. Not Administration Policy.

Climate Change Appropriations Priorities – By Bill

INTERIOR

- **International Clean Energy Initiative** -- Administration Request -- \$20 million for DOE. House: \$16 million; Senate \$1.5 million.
 - Preferred Position -- Support House position -- \$16 million.
 - Alternative Position -- \$16 million
- **Bioenergy Initiative** -- Administration Request -- \$44 million for DOE and \$19 million for USDA. House: \$26 million for DOE; \$9 million for USDA; Senate: \$28 million for DOE; \$14 million for USDA.
 - Preferred Position – Support full request
 - Alternative Position – DOE – \$30 million
USDA – \$14 million
- **CCTI** – Administration Request -- \$718 million for DOE (energy efficiency) and \$13 million for USDA. House: \$531 million (DOE), \$0 (USDA); Senate \$643 (DOE), \$5 (USDA).
 - Preferred Position – Support Administration request.
 - Alternative Position – DOE -- \$703 million
USDA -- \$8 million

ENERGY AND WATER

- **International Clean Energy Initiative** – Administration Request -- \$32 million (DOE). House: ?; Senate: \$7 million.
 - Preferred Position – Support full request.
 - Alternative Position -- \$20 million
- **Bioenergy Initiative** – Administration Request -- \$130 million (DOE). House: \$107 million; Senate: \$121 million.
 - Preferred Position – Support Senate Position -- \$121 million
 - Alternative Position – Support Senate Position -- \$121 million
- **CCTI** – Administration Request -- \$451 million. House: \$379 million; Senate: \$437 million.
 - Preferred Position -- Support Senate position of \$437 million.
 - Alternative Position – Support Senate position of \$437 million.

HUD AND INDEPENDENT AGENCIES

- **CCTI** – Administration Request -- \$227 million for EPA and \$12 million for HUD. House: \$103 million (EPA), \$10 million (HUD); Senate: [no action].
 - Preferred Position – Support full request.
 - Minimum Position -- \$150 million for EPA and \$12 million for HUD.
- **Clean Air Partnership Fund** – Administration Request -- \$85 million. House: \$0; Senate: [no action].

Close Hold. Not Administration Policy.

- Preferred Position – Support full request.
- Alternative Position -- \$10 million (need to get program started; last year \$0)

AGRICULTURE

- **Bioenergy Initiative** – Administration Request -- \$96 million. House: \$63 million; Senate: \$60 million.
 - Preferred Position – Support full request.
 - Alternative Position -- \$75 million
- **CCTI** – Administration Request -- \$11 million. House: \$0; Senate: \$2 million.
 - Preferred Position – Support Full Request
 - Alternative Position -- \$8 million

FOREIGN OPS

- **International Clean Energy Initiative** -- Administration request -- \$145 million -- \$109 million for AID, \$21 million for the Trade and Development Agency, and \$15 million for Eximbank. House: \$79 million (AID), \$16 million (TDA), \$0 (ExIm); Senate: [same as House] – no increases from FY00.
 - Preferred Position – Support full request.
 - Alternative Position -- \$135 million -- \$99 million for AID, \$21 million for TDA, and \$15 million for Eximbank

COMMERCE, JUSTICE, AND STATE

- **International Clean Energy Initiative** – Support the President’s request of \$4 million for the Commerce Department. (House: \$0; Senate: \$0).

Close Hold. Not Administration Policy.

THE WHITE HOUSE
WASHINGTON

June 13, 2000

MEMORANDUM FOR JOHN PODESTA
KAREN TRAMONTANO
SYLVIA MATHEWS

CC: GEORGE FRAMPTON
FROM: ROGER BALLENTINE 
RE: Climate Change Appropriations Strategy

Along with Lands Legacy, climate change is the top environmental legislative priority for the remainder of this Administration. To be successful in addressing this priority in the appropriations context, we need three things: 1) adequate funding; 2) no new riders; and 3) a "successful" debate and fight on either/both the House or Senate floor.

In the past, of course, our goal was only the first two – and we have been remarkably successful. But now, however, I think we need more than a quiet, end game oriented strategy. This Administration has pushed this issue forward faster than the Congress would otherwise move, and the next way to do that is to craft a more open fight.

Amendment/Resolution Strategy

In either house, subject to parliamentary limitations, we could push an amendment in the context of appropriations riders. This does not necessarily mean we push an amendment that directly strikes the "compromise" language we have signed in the past. But we could perhaps craft an amendment that "clarifies" that such language "does not limit vigorous efforts domestically and internationally to address the threat of global warming (yada, yada)". This is a way that we could draw the line with R efforts to push us further and further beyond our original tacit "deal". In the House, Members like Inslee and Doggett have expressed an interest in something like this, but we would need to push leadership support. In the Senate, we have a number of Members who would do this, but again, we would need strong leadership support (as well as some R's), especially since Byrd is a wild card.

In the Senate, Lautenberg has for some time been shopping a resolution along the lines of a Sense of the Senate that climate change is a serious problem and that we need serious action, etc. He tried to get such language attached to the Transportation bill, but failed (and even allowed the Kyoto Knollenberg rider language added, even though it is not in the House

Transportation bill). We could seek to add it to another bill in Committee or force a vote on the floor (even though it might be on a vote to overturn the ruling of the Chair). Even a close vote on relatively strongly worded language would be helpful vis a vis our international negotiations, given that the 95-0 Byrd-Hagel vote of 1997 is the Senate's record on the climate change issue.

Message Events

The President is already well on message on the importance of this issue – all the more reason to take a visible and strong stand in the appropriations process. An additional POTUS event focused on opportunities (perhaps with business leaders) *and* criticizing Congress would be helpful. We are submitting a scheduling request this week.

Secretary Albright is willing to weigh in on the anti-Kyoto riders. We have held this back in the past, but we may want to do this now. She could do a message event, or, more likely, she could send a letter to the Hill. A letter could perhaps purport to update on diplomatic progress (India, China, Russia, etc.) and then strongly urge positive legislative action and criticize the riders.

We could also have the Chief of Staff give a speech or send a letter with this same type message (Press Club, perhaps).

Timing

A House amendment strategy would require immediate engagement from Legislative Affairs, OMB, and others. A Senate resolution strategy is slightly less urgent, but we would need the same WH players to engage very soon. The more bills that begin to pass with rider language in them without our vocalizing about this issue, the harder it will be to later construct a good fight. Therefore, we need prompt resolution on this strategy.

THE WHITE HOUSE
WASHINGTON

May 17, 2000

MEMORANDUM FOR JOHN PODESTA
GEORGE FRAMPTON

CC: CHUCK BRAIN
JACK LEW
WESLEY WARREN

FROM: ROGER BALLENTINE 

RE: Lands Legacy/CARA Update

The action on this issue remains focused on the authorizing bills. After the overwhelming House vote, and despite one serious setback (the Shadegg Amendment), much attention has now shifted to the Senate.

Status

Senator Murkowski has scheduled a mark-up for June 14 in the Energy Committee. As of now, the primary mark-up vehicle will be the Senate version of the House bill, either in the Committee-reported and Senate-introduced form, or with the modifications made by the House Managers, or with changes Murkowski and Landrieu are attempting to negotiate simultaneously with Bingaman and with the Republicans on the Committee. As of now, Murkowski has commitments from two Republicans on the Committee (Fitzgerald and Campbell), with Gordon Smith possibly in play. Campbell, however, could end up being shaky.

Murkowski is inclined to make changes to gain the support of Members like Craig Thomas, probably through restrictions along the lines of a "no net loss" provision for federal land acquisitions. This runs counter to Landrieu's efforts to pull Democrats together. This current status, combined with the late date of the mark-up, does not seem promising.

We had hoped that Senator Lott would either hold the House bill at the desk or keep a copy bill at the desk. It appears that he has not done that, apparently after discussions with Landrieu and Murkowski.

Strategy

Getting a bill out of Committee and on to the floor with sufficient time for consideration appears unlikely, at least without a significant shift in the dynamics of this issue. Such possible changes in the dynamics – and how we could help bring them about – include:

- Unifying all Committee Democrats. The key here is Bingaman. If he would agree to some version of a bill similar to the House bill, that Murkowski could support, then we would have a dynamic similar the Young-Miller approach. This arrangement would pass a bill from Committee with all D's and a few (perhaps three) Republicans. *Our role here would be to push Bingaman to go along and perhaps solicit Daschle to help.* Murkowski would have to be willing to take the heat from the right.
- Bi-partisan Leadership Pressure. Another strong play to break the current dynamic would be for Daschle and Lott, preferably together, to call for action in the Committee and to commit to time on the floor. We have already felt this out with Lott (possible) and could do so with Daschle. Given the short calendar and appropriations dynamics, this would be difficult to pull off. *Our role would be to push Daschle and Lott to do this and for the President to play whatever role the leaders thought would be most helpful.*
- Softening Appropriator Objections. A new sense of optimism about passing this bill would come from some signal of at least less-than-strong opposition from Stevens, Domenici and maybe Gorton. The latter two are on the Committee. If these three were not strongly opposed (e.g. would at least support cloture), we would isolate Western ideologues as the only significant opponents. While this does not mean we could pass the bill, we certainly cannot pass this bill in the Senate (as we did in the House) with the combined and committed opposition from Westerners and appropriators. *We would try to help with Stevens, Domenici and maybe Gorton.*

Another strategy is to push for the leadership to bypass the Committee and go directly to the floor (Lott could hold a newly introduced bill at the desk, or they could look for an amendable vehicle). Since an appropriate amendable vehicle that would not be bogged down on other issues already is unlikely, we would need to focus on a freestanding bill. Since we would likely not get unanimous consent for anything, this would require at least two cloture votes. Even if we got cloture, and even if opponents did not use their full 60 hours, we likely would need the better part of a week to finish this bill. Even with double tracking, this is ambitious. Again, an approach like this would require bipartisan leadership support and perhaps the visible endorsement of the President.

Conclusions

If we continue to want to push for passing authorizing legislation, both Leaders would need to be enthusiastically supportive. *We would need a high level discussion with Daschle and perhaps Lott. If not a Presidential call or meeting, you would need to meet with Daschle ASAP.* For us to either pass authorizing legislation on the floor or to have a chance in the end game, we will need to deal with Stevens and Domenici, at least. *You and Jack should meet with each of them ASAP, and we should consider whether and when a Presidential call or meeting might be helpful.* Since we can't be seen as going around Bingaman, and since he is critical to any Committee strategy, we need to have another Member-level discussion that includes Bingaman, you and perhaps the President. *I suggest holding off on this until after leadership discussions or at least until we have a better feel for the progress in the Committee.* Please advise.

THE WHITE HOUSE
WASHINGTON

May 4, 2000

MEMORANDUM FOR JOHN PODESTA

CC: STEPHANIE STREETT
LORETTA UCELLI

FROM: ROGER BALLENTINE 

RE: Event Idea

Neal Lane and I have submitted a scheduling request that might present a good opportunity to 1) promote our clean energy/jobs message; 2) hit Congress for under-funding clean energy/climate change priorities; 3) hit Congress for failing to act on our clean energy tax cut; 4) hit Congress on climate change riders; and 5) promote our overall energy message of security, affordability, and reliability (the reliability point is another way to promote our energy policy and tax cuts, as well as inoculate ourselves from potential criticism this summer).

The proposed event hook is a meeting with PCAST members (who are in town in two weeks for a meeting) and other industry leaders, followed by a press statement and signing/announcement of a clean energy export Executive Memorandum. We could perhaps come up with additional deliverables.

CC: George Frampton
Neal Lane

THE WHITE HOUSE
WASHINGTON

April 26, 2000

MEMORANDUM FOR JOHN PODESTA

FROM: ROGER BALLENTINE

RE: CLIMATE CHANGE PRIORITIES

Paper
I've started
my pics
Let's
discuss
Tom

Now that we are past Earth Day, I am focusing on our climate change agenda for the remainder of the year. In addition to the work we must do on both COP6 and our budget/tax proposals, there are several different possible areas where we could seek to make demonstrable impacts this year. Given limited time and resources, however, we must prioritize. I would like your view as to 1) what you think we should focus on, and 2) whether it is necessary and appropriate to solicit the views of the President and the Vice President.

Possible approaches include:

- * *Simply work to ensure maximum completion/progress on existing major initiatives (e.g., federal energy management, bio-energy, etc.);*
- * *Focus on international energy market, clean energy exports and clean energy development. This is an area that combines the President's broader vision of development in the new century with some specific proposals/examples, highlighting companies that are doing this and spreading the message abroad;*
- * *Focus on message of "bringing climate change home", highlighting ways the real people can make decisions that will help the climate (light bulbs, Energy Star, etc.);*
- * *Focus on continuing to improve the federal government's environmental performance and energy efficiency. While we have done much here already, we could push contracting reform and perhaps other new ideas;*
- * *Focus on the corporate world. We could keep pushing business to adopt a new mindset that marries environmental and economic priorities and measurements. We could focus on interaction with business leaders, and perhaps undertake an initiative with Wall St. and the financial community as to how environmental/climate impacts should be incorporated into standard financial evaluations of companies;*

- *Focus on cars/CAFÉ.* This could be at least a two-part strategy. One, we could fight the CAFÉ rider (perhaps issue early veto threat), and second, we might propose reforms to, or a substitute to CAFÉ. This is obviously a volatile approach;
- *Focus on fuels.* We could decide that helping move our economy to one based on advanced fuels (hydrogen) is the single best thing we can do for the climate. We could push a "Partnership for a New Generation of Fuels", focusing on both product development and infrastructure problems;
- *Focus on diplomacy.* In addition to the preparations we must make for COP6, we could have the President focus on a climate message of making Kyoto a success. To some extent, this is likely to happen regardless, as we approach COP6, and it is also related to a focus on international clean energy. We have not, however, made it a domestic message priority;
- *Focus on Congress.* We could take a much more political and aggressive approach challenging Congress. This focus might include a budget showdown (although we are likely to get most of what we are asking for), a debate over a climate resolution, or some other vehicle.

We could certainly undertake a combination of these issues and perhaps others. I do, however, think it is important that we agree on some larger sense of what it is we hope to accomplish in the next nine months, and your input would be very helpful. Thank you.

cc: George Frampton
David Beier

THE WHITE HOUSE
WASHINGTON

April 18, 2000

MEMORANDUM FOR JOHN PODESTA
CHARLES BURSON

CC: GEORGE FRAMPTON
LEON FUERTH
JIM STEINBERG

FROM: ROGER BALLENTINE 

RE: COP6: Policy Status and Outlook

*RB.
You've got
the action on
this. Is Todd
still involved?
JDP*

As we come upon the conclusion of Earth Day, we will begin to focus intently on the Sixth Conference of Parties to the United Nations Framework Convention on Climate Change ("COP6," November 13-24 in The Hague, Netherlands). This Memorandum outlines the issues currently on the table and our plans for preparation.

I. Background

The President and (especially) the Vice President, were responsible for the success at COP3 in 1997 that produced the Kyoto Protocol. The last two meetings of the COP have incrementally addressed open issues with the Protocol. COP6, on the other hand, has been targeted by much of the international community (as well as by domestic NGOs) as the meeting at which a ratifiable Protocol must be finalized. The Europeans and others have rallied around this notion, calling for ratification of the Protocol by 2002.

While we have not voiced such expectations, we too have stated that COP6 is a crucial meeting. Most of the world community considers the U.S. the main obstacle to completion of the Protocol. The U.S. NGO community shares much of this sentiment. Thus it is very likely that the U.S. would be blamed for a "failure" at COP6.

II. Our Goals

Our first preparatory task is to come to some consensus as to what constitutes "failure" and "success" at COP6. Failure would most likely mean that at the meeting's end, much of the world community considers the multi-lateral process over - at least one including the U.S. This suggests that we might define "success" as an ending to COP6 with a consensus that 1) the Protocol is alive and moving toward completion and 2) there remains a chance for U.S. ratification in the near term.

III. The Challenge

Success defined in this way requires a balance between the “rightward” pull of the current U.S. Senate and much of the U.S. business community, and the “leftward” pull of the international community as well as U.S. NGO’s. Conceptually, this is a balance between issues of the *costs* of the Protocol and its “*environmental integrity*”. More specifically, such a balanced result will depend on the resolution of a number of key matters: flexibility mechanisms (such as emissions trading), developing country participation, the role of agricultural “sinks”, and potential new cost-controlling mechanisms (such as a “safety valve”).

For example, much of the developed and the developing world (as well as the U.S. environmental community) resists our efforts to make unlimited use of trading and to get the developing world to “meaningfully participate” in the climate change fight (despite the fact, for example, that we would argue that cost-decreasing flexibility mechanisms add to the environmental integrity of the Protocol; unfortunately, many of those calling for “environmental integrity” are really calling for the U.S. to “pay” for our past emissions). Many see both issues as signs that the U.S. is not willing to seriously address the problem at home. On the other hand, without securing liberal use of flexibility mechanisms and achieving some progress in developing country greenhouse gas abatement, the Protocol would be pronounced dead on arrival by a significant faction in the Congress, and would receive harsh reviews from a wide array of business sectors. Therefore, the negotiations of all of these issues will be roughly defined by these polarized positions.

IV. Preparations

We do not, of course, need to achieve a perfect, consensus balance on each remaining issue to be negotiated. Instead, the political and policy balance we need to achieve is one measured across all of the elements to be worked out at COP6. Working with the State Department and our interagency team, we are addressing each of these issues. We are consulting with stakeholders, the Congress, academics and others to evaluate our negotiating flexibility as to each issue, and exploring how we could negotiate a package of issues that achieves the overall balance we need. Thus, either here or at the State Department, we are holding meetings on sinks, rules for the mechanisms, compliance, developing country participation, and so forth. I can provide details as to the status and outlook for each of these issues at any time.

One important point deserves significant emphasis: to maximize our leverage in multilateral negotiations we need to demonstrate serious domestic actions. Showing a serious intent to take action to reduce emissions in the U.S. will lessen environmentalist criticism of our positions and will give us greater credibility with other nations in our negotiations.

THE WHITE HOUSE
WASHINGTON

April 26, 2000

MEMORANDUM FOR JOHN PODESTA

FROM: ROGER BALLENTINE 
RE: CLIMATE CHANGE PRIORITIES

Now that we are past Earth Day, I am focusing on our climate change agenda for the remainder of the year. In addition to the work we must do on both COP6 and our budget/tax proposals, there are several different possible areas where we could seek to make demonstrable impacts this year. Given limited time and resources, however, we must prioritize. I would like your view as to 1) what you think we should focus on, and 2) whether it is necessary and appropriate to solicit the views of the President and the Vice President.

Possible approaches include:

- *Simply work to ensure maximum completion/progress on existing major initiatives (e.g., federal energy management, bio-energy, etc.);*
- *Focus on international energy market, clean energy exports and clean energy development. This is an area that combines the President's broader vision of development in the new century with some specific proposals/examples, highlighting companies that are doing this and spreading the message abroad;*
- *Focus on message of "bringing climate change home", highlighting ways the real people can make decisions that will help the climate (light bulbs, Energy Star, etc.);*
- *Focus on continuing to improve the federal government's environmental performance and energy efficiency. While we have done much here already, we could push contracting reform and perhaps other new ideas;*
- *Focus on the corporate world. We could keep pushing business to adopt a new mindset that marries environmental and economic priorities and measurements. We could focus on interaction with business leaders, and perhaps undertake an initiative with Wall St. and the financial community as to how environmental/climate impacts should be incorporated into standard financial evaluations of companies;*

- *Focus on cars/CAFÉ.* This could be at least a two-part strategy. One, we could fight the CAFÉ rider (perhaps issue early veto threat), and second, we might propose reforms to, or a substitute to CAFÉ. This is obviously a volatile approach;
- *Focus on fuels.* We could decide that helping move our economy to one based on advanced fuels (hydrogen) is the single best thing we can do for the climate. We could push a "Partnership for a New Generation of Fuels", focusing on both product development and infrastructure problems;
- *Focus on diplomacy.* In addition to the preparations we must make for COP6, we could have the President focus on a climate message of making Kyoto a success. To some extent, this is likely to happen regardless, as we approach COP6, and it is also related to a focus on international clean energy. We have not, however, made it a domestic message priority;
- *Focus on Congress.* We could take a much more political and aggressive approach challenging Congress. This focus might include a budget showdown (although we are likely to get most of what we are asking for), a debate over a climate resolution, or some other vehicle.

We could certainly undertake a combination of these issues and perhaps others. I do, however, think it is important that we agree on some larger sense of what it is we hope to accomplish in the next nine months, and your input would be very helpful. Thank you.

cc: George Frampton
David Beier

Mike
Orfini

290 OECB

THE WHITE HOUSE
WASHINGTON

April 18, 2000

MEMORANDUM FOR JOHN PODESTA
CHARLES BURSON

CC: GEORGE FRAMPTON
LEON FUERTH
JIM STEINBERG

FROM: ROGER BALLENTINE 

RE: COP6: Policy Status and Outlook

Burson 276
6-2112
Leon 298
Mike 290

As we come upon the conclusion of Earth Day, we will begin to focus intently on the Sixth Conference of Parties to the United Nations Framework Convention on Climate Change ("COP6," November 13-24 in The Hague, Netherlands). This Memorandum outlines the issues currently on the table and our plans for preparation.

I. Background

The President and (especially) the Vice President, were responsible for the success at COP3 in 1997 that produced the Kyoto Protocol. The last two meetings of the COP have incrementally addressed open issues with the Protocol. COP6, on the other hand, has been targeted by much of the international community (as well as by domestic NGOs) as the meeting at which a ratifiable Protocol must be finalized. The Europeans and others have rallied around this notion, calling for ratification of the Protocol by 2002.

While we have not voiced such expectations, we too have stated that COP6 is a crucial meeting. Most of the world community considers the U.S. the main obstacle to completion of the Protocol. The U.S. NGO community shares much of this sentiment. Thus it is very likely that the U.S. would be blamed for a "failure" at COP6.

II. Our Goals

Our first preparatory task is to come to some consensus as to what constitutes "failure" and "success" at COP6. Failure would most likely mean that at the meeting's end, much of the world community considers the multi-lateral process over - at least one including the U.S. This suggests that we might define "success" as an ending to COP6 with a consensus that 1) the Protocol is alive and moving toward completion and 2) there remains a chance for U.S. ratification in the near term.

III. The Challenge

Success defined in this way requires a balance between the “rightward” pull of the current U.S. Senate and much of the U.S. business community, and the “leftward” pull of the international community as well as U.S. NGO’s. Conceptually, this is a balance between issues of the *costs* of the Protocol and its “*environmental integrity*”. More specifically, such a balanced result will depend on the resolution of a number of key matters: flexibility mechanisms (such as emissions trading), developing country participation, the role of agricultural “sinks”, and potential new cost-controlling mechanisms (such as a “safety valve”).

For example, much of the developed and the developing world (as well as the U.S. environmental community) resists our efforts to make unlimited use of trading and to get the developing world to “meaningfully participate” in the climate change fight (despite the fact, for example, that we would argue that cost-decreasing flexibility mechanisms add to the environmental integrity of the Protocol; unfortunately, many of those calling for “environmental integrity” are really calling for the U.S. to “pay” for our past emissions). Many see both issues as signs that the U.S. is not willing to seriously address the problem at home. On the other hand, without securing liberal use of flexibility mechanisms and achieving some progress in developing country greenhouse gas abatement, the Protocol would be pronounced dead on arrival by a significant faction in the Congress, and would receive harsh reviews from a wide array of business sectors. Therefore, the negotiations of all of these issues will be roughly defined by these polarized positions.

IV. Preparations

We do not, of course, need to achieve a perfect, consensus balance on each remaining issue to be negotiated. Instead, the political and policy balance we need to achieve is one measured across all of the elements to be worked out at COP6. Working with the State Department and our interagency team, we are addressing each of these issues. We are consulting with stakeholders, the Congress, academics and others to evaluate our negotiating flexibility as to each issue, and exploring how we could negotiate a package of issues that achieves the overall balance we need. Thus, either here or at the State Department, we are holding meetings on sinks, rules for the mechanisms, compliance, developing country participation, and so forth. I can provide details as to the status and outlook for each of these issues at any time.

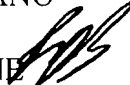
One important point deserves significant emphasis: to maximize our leverage in multilateral negotiations we need to demonstrate serious domestic actions. Showing a serious intent to take action to reduce emissions in the U.S. will lessen environmentalist criticism of our positions and will give us greater credibility with other nations in our negotiations.

THE WHITE HOUSE
WASHINGTON

April 10, 2000

MEMORANDUM FOR JOHN PODESTA

CC: CHUCK BRAIN
GEORGE FRAMPTON
JACK LEW
KAREN TRAMONTANO

FROM: ROGER BALLENTINE 

RE: LANDS LEGACY – H.R. 701

In preparation for 1) a meeting among the President and congressional leaders of the effort to dedicate oil and gas royalties to various purposes, including conservation; and 2) possible House floor consideration of H.R. 701 (the Miller-Young bill), it is critical that the Administration have a clear and unified position on the House legislation. While your staff is in general agreement as to the substance of the issues involved, we have not agreed as to a clear statement of the Administration's position. As the fate of the House bill and the position we take on it could be critical to whether we ultimately can pass an acceptable version of the President's Lands Legacy Initiative, this issue merits your close attention.

The issue can be exemplified by a choice between two versions of potential SAP language:

Option 1: "The Administration is pleased that H.R. 701 seeks to achieve many of [the Administration's] goals, and for that reason supports the bill's prompt consideration. However, the Administration is concerned about several aspects of the bill . . . and cannot unequivocally support the bill until these issues are addressed. [list concerns]" [CEQ]

Option 2: "Because H.R. 701 does seek to meet many of [the Administration's] goals, the Administration supports passage of the bill by the House. The Administration, however, does remain concerned about several aspects of H.R. 701 and will insist on improvements to the legislation as this process moves forward. [list concerns]" [OEI]

The President will undoubtedly be asked his position on the House bill. When the bill is considered, and if all major amendments fail, we will be asked our position on final passage of an unamended bill. Therefore, we need a clear position.

THE WHITE HOUSE
WASHINGTON

April 10, 2000

MEMORANDUM FOR JOHN PODESTA

CC: GEORGE FRAMPTON
KAREN TRAMONTANO

FROM: ROGER BALLENTINE 

RE: Pending Presidential Climate Actions

We have two energy/climate deliverables almost final: 1) a federal transport Executive Order (reducing federal petroleum consumption by 20% by making the federal fleet more efficient and more reliant on alternative fuels); and 2) a Clean Energy Executive Memorandum (establishing a more streamlined and focused interagency effort to promote exports of clean energy technology). Both could be finalized in short order.

As a possible venue, the Department of Defense next week is holding a ribbon-cutting ceremony for its new alternative fuels refueling station at the Pentagon.

THE WHITE HOUSE
WASHINGTON

March 28, 2000

MEMORANDUM FOR JOHN PODESTA

FROM: ROGER BALLENTINE 

RE: CLIMATE MEETING WITH DEMOCRATIC SENATORS

On Wednesday, you are meeting with a number of Democratic Senators who have been our best allies on climate change. Organized by Senator Lieberman, the meeting will likely also include John Kerry, Frank Lautenberg, and perhaps Max Baucus and Jeff Bingaman. The purpose of this meeting is to discuss our mutual strategies on climate change for the remainder of this year. We should make the general point that our view is that the politics and "atmospherics" of this issue have changed and that we should be more aggressive in pushing the issue over the remainder of the year, and we would like their thoughts.

Among the specific issues to discuss:

- *Potential Senate Resolution.* Senator Lautenberg and others are considering offering a Sense of the Senate resolution amendment, likely to the budget resolution, on the subject of climate change. The resolution would recite the scientific evidence of climate change and call for supporting the levels of funding proposed in our budget for climate change. This merits serious discussion.
 - The Senate last voted on such a resolution – the "Byrd-Hagel Resolution" in 1998 – and on a vote of 98-0 criticized the Kyoto Protocol and called on the Administration to not submit the treaty unless developing countries were included and costs were modest. The argument for doing a new resolution is to improve on this last vote. The fear is that another bad vote would reenergize the anti-Kyoto forces and damage our negotiating position going into COP6.
 - Perhaps we should design a resolution that would be hard to vote against but that puts a more positive light on our efforts. We would like to work on this with Lautenberg *et al*, but any resolution would most effective if we had Senator Byrd's support, as this would signal a movement from Byrd-Hagel.
 - We will risk a damaging second-degree amendment. We would need Leadership support in whipping and working these votes.

- *Tax Package and Budget.* Particularly in light of the recent oil issues, we feel the time is ripe to push for our tax package. Lieberman in particular has raised these issues, and we should discuss strategy. Baucus is the only Finance Committee member that might be present.
- *COP6.* This will be the critical negotiation over the Kyoto Protocol. We will need support going into COP6 (November), as our opponents will try to use the issue against Al Gore and the Democrats. We should get their suggestions.
- *Earth Day.* We may want to tell them what we are doing, and offer our help with their plans. Senator Kerry is organizing a Democratic Earth Day kick-off event on the Senate side. They have invited the President.
- *CAFÉ/Power Plants.* Although we have not made final decisions and could not make any commitments, this could be an invaluable opportunity to get some feedback on these two critical issues.

THE WHITE HOUSE
WASHINGTON

February 17, 2000

MEMORANDUM FOR JOHN PODESTA

CC: JIM STEINBERG
FROM: ROGER BALLENTINE 
RE: INDIA – Climate Update

Per our discussion, this Memorandum briefly updates you on our climate/clean energy efforts with regard to India. As you know, subject to the larger dynamics of the trip and the viewpoint of NSC, we hope to make clean energy and climate change a key element of the President's visit next month. As the President said in his news conference yesterday, he hoped to use the trip "to demonstrate the importance of that region of the world to the U.S.". Our message -- that tapping into the enormous energy market in India with clean technologies will provide both vast economic opportunities for U.S. companies as well as global environmental benefits -- seems to fit well.

Again, we hope to build on Secretary Richardson's earlier joint statement on energy and climate. We are making some progress with the Indians, and they have invited us to come to Delhi the week after next to attempt to finalize some deliverables on clean energy and climate change. Working with the advance team, we also plan to work on potential event deliverables and sites. We hope also to get commitments on the part of the Government of India relating to energy efficiency and/or renewable energy. Such announcements could possibly be coupled with the formation of bilateral working groups on clean energy policy and practices, climate change and Kyoto, and clean energy trade and development. We are working closely with NSC, DOE, State, Commerce and USAID.

Please let me know if you have any questions.

cc: Maria Echaveste
George Frampton
Ian Bowles

THE WHITE HOUSE
WASHINGTON

February 17, 2000

MEMORANDUM FOR GEORGE FRAMPTON
JOHN PODESTA

CC: CHUCK BRAIN
MARTHA FOLEY
LINDA LANCE
WESLEY WARREN

FROM: ROGER BALLENTINE 

RE: LANDS LEGACY STRATEGY—NEAR TERM

I have the following thoughts on meetings we should have in the short-term to promote Lands Legacy. We have been relatively successful so far in selling our proposal as both a constructive contribution to the debate, and a possible compromise solution that best balances the interests of appropriators, authorizers, and the various constituent interests. While continuing to signal support for the authorizing process (particularly in the House), we should continue to pitch this point to key Members early.

SENATE

I suggest Podesta-level meetings with Stevens, Domenici and possibly Byrd soon. The most formidable obstacles to success are: Stevens, Domenici, Lott, Byrd and Gorton. We should continue to work with Lott through Jim Ziglar and Gorton through George. We should also think about when and how to use Jack Lew, such as with Byrd.

We should also go see Lautenberg soon. This does not need to be at the Podesta level, although it could be. His early understanding of and support for our BEA proposal is important. Although it is probably too early, we should soon consider a Podesta-level meeting with Breaux, who could be our liaison with Lott.

HOUSE

I suggest a Podesta-level meeting with Obey and Dicks. We need to lay the groundwork early with them that they can be heroes by getting done the very thing that 300+ cosponsors couldn't get done. We probably need to touch base also with Spratt and Sabo. These could be at the staff level initially.

GROUPS

We should do a Podesta-level meeting with leaders of relevant green groups. Our message here is two-fold: support the authorizing process, even with reservations on particular issues; and support our approach at the end game, as this would be a tremendous win for all. We must convince them that our “cap and fence” would be a true victory.

We should do a much larger meeting of the entire coalition supporting the bill. This meeting should have a drop-by at least at the Podesta level. The goal here is to rev-up all of the groups in support of the issue in general, as well as to sell them on the viability and desirability of our proposal.

THE WHITE HOUSE
WASHINGTON

March 28, 2000

MEMORANDUM FOR JOHN PODESTA

FROM: ROGER BALLENTINE 

RE: MEETING WITH WRC

On Wednesday, you are meeting with representatives of the Western Regional Council, which is a trade association of CEOs of companies with significant business activities in the West. After meeting with you, the group will meet with Secretary Richardson. While the WRC is made up of businesses across various sectors, the utility, mining and energy sectors are a major force in the organization, and the meeting with you will focus principally in these areas.

The group would like to raise several issues with you, and I propose that our approach to the meeting be principally to hear their views. Among the issues they will raise:

- *Fly Ash Waste.* EPA must decide by April 10, according to court order, whether to regulate fly ash as a hazardous waste under RCRA (Resource Conservation and Recovery Act). EPA will pursue a rulemaking based on this April 10 regulatory determination. As per a 1980 amendment to RCRA, these wastes have been exempted from regulation under RCRA until EPA conducts a comprehensive study and makes a regulatory determination. The results of EPA's study were submitted in a report to Congress in 1999. EPA is likely to make a positive determination and propose regulating ash as hazardous when it is not properly managed. As part of this determination, EPA would also reverse a 1993 determination not to regulate related waste. Industry believes that science does not support regulation as a hazardous waste, and that re-uses of fly ash (such as wallboard, cement, soil treatment, and mine-filling) would be undercut by such a determination. Labor (boilermakers) supports the industry position. Environmental groups support the regulation of this material as hazardous. Fly ash is a by-product of coal combustion, primarily from the process of electricity production. *The industry sees this as part of a larger effort of the Administration to eliminate the use of coal.*
- *TMDL Rule.* Last year, the President announced a proposed rulemaking by EPA that would clarify and strengthen an existing program under the original Clean Water Act known as the "Total Maximum Daily Load" or "TMDL" Program. This program calls for the identification and cleanup of waters that still are not meeting water quality standards, even after the application of best available technologies. Failure to sufficiently implement the existing TMDL program in a number of states has led to litigation. Industry feels that EPA

has overreached in the rulemaking. AS THIS ISSUE IS CURRENTLY SUBJECT TO ACTIVE RULEMAKING, WE SHOULD DECLINE TO COMMENT AND URGE THEM TO DISCUSS THIS WITH EPA.

- *Power Plant Emissions.* They will want to raise the issue of greenhouse gas emissions and the impact on coal-fired power plants. They will argue that they want to be constructive and that they support R&D efforts to promote clean coal technologies, some of which is funded in our budget.

Talking points and a list of attendees are attached.

MEETING WITH WESTERN REGIONAL COUNCIL

March 29, 2000

TALKING POINTS

- Welcome to the White House. WRC is an impressive collection of companies, and I am happy to have a chance to meet with you.
- I understand that you will also be meeting with DOE and EPA. I am certain that as to some issues, those agencies will be most familiar with your issues and in the best position to discuss them with you. I am, however, interested in hearing what's on your mind, so please go ahead.
- WITH REGARD TO THE TMDL RULEMAKING, I think it is best if you raise your issues with EPA directly. I do not think it is proper for us to discuss that here.
- With respect to your point about the use of coal, I understand your frustration. We do recognize that coal will continue to play a major role in our energy future for some time to come. What we believe, however, is that we can and must balance how we use coal against the very real health and environmental challenges that are related to coal burning.
- As you know, for example, we believe that one of the ways we can address this balance is by improvements in the demand side. Our budget contains billions of dollars for research, voluntary programs, and tax credits to promote the more efficient consumption of energy. The Congress has fought us on this, and that has made dealing with these issues more difficult.
- We also believe that we need to promote the technologies that will help us produce energy in the cleanest most efficient way possible, whether that involves burning coal or not. Again, the Congress has fought us on this (for example, we have a tax credit proposal for co-firing biomass with coal).
- We do understand that concern has been raised that we are backing down on our requests for funding of clean coal technologies. I can tell you that we remain committed to these technologies, and I have asked my staff to look at this.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	[Personally Identifiable Information] [partial] (1 page)	03/28/2000	b(6)

COLLECTION:

Clinton Presidential Records
Office of Environmental Initiatives
Angie Mizeur
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FOLDER TITLE:

[Climate Change] Memos Podesta

2017-1093-F
rs3160

RESTRICTION CODES

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

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

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

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RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

**WESTERN REGIONAL COUNCIL
WASHINGTON FORUM
March 28 - 30, 2000**

Updated 3/28/2000

SS# List for White House

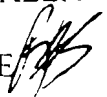
	NAME	TITLE	COMPANY	SS#	D/O/B
1	Bond, Peter	President	Kvaerner Metals	(b)(7)(C)	
2	Garver, Patrick	President	Barrick Resources USA		
3	Gary Goldberg	President and CEO	Kennecott Energy Company		
4	Fisher, Fernanda Dau	Director of Governmental Affairs	Western Regional Council		
5	Hall, Philip G.	Chairman of the Board	CH2M Hill		
6	Hansen, Joy	Vice President and General Counsel	Newmont Mining Corporation		
7	Hayes, William M.	Executive VP, U.S. & Latin America	Placer Dome		
8	Hoyt, Everett	President and COO	Black Hills Power & Light		
9	Kimball, Kit	Executive Director	Western Regional Council		
10	Komadina, Jim	Chairman and CEO	Anglogold North America, Inc.		
11	Landguth, Dan	Chairman and CEO	Black Hills Corporation		
12	McCormick, Ruth	Clean Air Committee Staff	Western Regional Council		
13	Micsak, Robert	Vice President & General Counsel	Anglogold North America, Inc.		
14	Morris, Mark	Senior Vice President	CH2M Hill		
15	O'Connor, Terry	Vice President, External Affairs	Arch Coal, Inc.		
16	Petersen, Roger	President and CEO	PPL Montana		
17	Segsworth, Walter	President and COO	Homestake Mining Co.		
18	Snider, Timothy R.	President	Phelps Dodge Mining Co.		

THE WHITE HOUSE
WASHINGTON

February 28, 2000

MEMORANDUM FOR JOHN PODESTA

CC: GEORGE FRAMPTON
JACK LEW
SYLVIA MATHEWS
STEPHANIE STREETT
KAREN TRAMONTANO
LORETTA UCELLI
CHUCK BRAIN
MICKEY IBARRA
THURGOOD MARSHALL, JR.

FROM: ROGER BALLENTINE 

RE: Lands Legacy Strategy – Outreach, Legislative, Communications

This Memorandum provides ideas for a comprehensive action plan for our Lands Legacy (“LL”) initiative.

I. GOAL

Our goal is to leave behind a long-term, dedicated, priority federal budgetary commitment to the protection and expansion of our natural heritage. This could mean passing our LL budget proposal through the appropriations process; it could mean passage of the Young-Miller bill in some acceptable form; or it could simply mean some mechanism that provides full and protected funding of the Land and Water Conservation Fund (LWCF).

II. OVERALL MESSAGE

Our basic message from here forward should be two-fold. First, *now is the time to invest in the precious natural heritage and green and open spaces that provide opportunities for our children today and a promise to our grandchildren of tomorrow.* Second, *this is a top priority and we will insist that the Congress do this before it adjourns this year.*

III. HILL STRATEGY

A. House

Most critical is building a political mandate for Congress to act on this issue. In the near term, the vehicle for building this pressure is the Miller-Young bill. Our strategy should be designed to support this process and help put pressure on the House leadership to bring this bill up and

pass it. We can raise our specific concerns about the bill (funding mechanism, etc.), *but we must raise these concerns without diluting the broad support for action*. However, we should make it clear that we are supporting House passage of the bill with the understanding that we want it fixed before it goes to the President. Our best leverage to fix the bill will come later, after it is out of the House. We should work closely with Miller and the Democratic leadership in support of bringing the bill up. We should support – but maybe not promote – amendments to improve the bill, but we should counsel against those who would oppose the bill if such an amendment failed.

Clearly, the most likely path for success on this issue will be the appropriations end-game along the lines of our budget proposal. Success in the end-game will in part be a function of both our strong signaling that this is a priority and the political support built up during consideration of the authorizing bills. Therefore, we should work with Obey and Dicks now to convince them not to oppose (even if not outright support) the Miller approach, and we should discuss with them now our proposed end-game solution. Other appropriators (Hoyer, for example) are waiting for a signal from Obey and Dicks.

B. Senate

While there is a strong possibility of passage of a bill in the House, that is much more unlikely in the Senate. Therefore, our strategy should be to set up a favorable end-game strategy. First and foremost, this means working on Domenici, Stevens and Gorton. At some point, we will need an amendment to the BEA. Our new LL cap could perhaps be done as part of a consensus vehicle to adjust the overall caps. The Budget Resolution could help pave the way for our change, but we should NOT support a repeat of last year's Boxer reserve fund amendment. Any budget resolution strategy should ONLY be done with the support of the Chairman.

Second, again, setting up the end-game means keeping political momentum going on the issue writ-large. A new Murkowski-Landrieu-Breaux-Lott bill presents some challenges. To the extent it is the same as the House bill, we should take the same qualified but clearly supportive approach. Bingaman, however, may propose an alternative. We would likely support that as well, but would not want a solid block of Democrats opposing the main bill if the Bingaman substitute fails. Perhaps we could encourage Bingaman to save his alternative for the floor.

IV. OUTREACH

Our outreach should be extended to all of the different factions supporting this issue.

A. Environmental Groups

We have already done a good job reaching out to the traditional environmental community, but we should be aware of a split in the community and keep in touch with both. Defenders of Wildlife, USPIRG, Sierra Club, NRDC and others are taking a relatively "purist" approach to the issue and could soon lobby against the Miller bill. The National Wildlife Foundation and others are more supportive of the Miller-Young bill. We should also reach out to ocean/coastal

protection groups who have a specific interest in portions of the authorizing bills and our budget proposal.

B. Recreation and Sportsmen's Groups

We should step up our outreach and coordination with these groups, which are the most politically effective coalition supporting this process. This coalition includes the State Fish and Game agencies, the state parks groups, the local parks and recreation groups, the sporting goods manufacturers, youth athletic leagues and the "hook and bullet" community. These groups are very supportive of the Miller-Young bill and even the original Murkowski-Landrieu bill. These groups also have broad bi-partisan appeal.

C. Land Conservation Groups

We should separately reach out to the major land conservation groups (The Nature Conservancy, the Trust for Public Land, the Conservation Fund, etc.). These groups are much more supportive of a Miller-Young-type approach than are the mainline environmental groups, and their political influence is more broad.

D. Preservation Groups

Less active, but often very important are the preservation groups. Both LWCF money, as well as the Historic Preservation Fund are key tools for this constituency, which has some important relationships on the Hill.

V. ACTION PLAN

A. Congressional Meetings – [Next month --before Senate mark-up or House floor consideration]

- *POTUS Meeting with Authorizers/Leadership.* We should make this as broad a meeting as possible, at least including the main sponsors of all authorizing bills and any leadership that is interested; message to be as described above. The timing should be: next 2-3 weeks.
- *Podesta/Lew Level Meetings with Appropriators.* We should meet this month with Domenici, Stevens, and perhaps Gorton and Byrd. On House side, we should do Obey, Dicks, Young and Regula.

B. Congressional Meetings –[April/May]

- *POTUS Meeting with Appropriators?* [If necessary]
- *Podesta/Lew Level Meetings with House and Senate Democratic Leadership.* [earlier?]

C. Outreach Meetings– [Next month --before Senate mark-up or House floor consideration]

- *Podesta-Level Meeting with Green Groups.* This meeting should attempt to reconcile differences in strategy.
- *Frampton/Ballentine Meeting with Preservation Groups.* Check with Ellen Lovell.
- *Frampton/Ibarra/Ballentine Meetings with NGA, COM, NCSL, others.*
- *Frampton/Ballentine (maybe Podesta) Meetings with Recreation/Sportsmen's Groups.*
- *Frampton/Ballentine (maybe Podesta) Meetings with Land Conservation Groups*

D. Outreach Meetings – [April/May]

- *Podesta-Level Meeting with Entire Coalition.*

E. Press

- Editorial and local press strategy based on congressional target list and past LWCF activity.
- Press projection tied to specific events (described below).

F. Events -- [Next month -- before Senate mark-up or House floor consideration]

- *POTUS Statement.* We should find some venue for the President to state clearly that this is a priority (perhaps do a pool-spray at top of congressional meeting).
- *Cabinet Events.* We should use our Earth Day cabinet liaison network to get Secretaries on message and involved. We should push for some Cabinet involvement this month, at least from Glickman and Babbitt.

G. Events – [April/May]

- *POTUS Lands Legacy "Tour".* If possible, set up a several stop trip to highlight need. Sites could include historic preservation and recreation themes as well as conservation. Civil War battlefield options are a good example. [This could be done as late as June].
- *POTUS Pre-Earth Day CA Trip.* As already proposed, the President could travel to California to announce monument designation for Sequoias. This could easily include a LL message.
- *Additional LL Event Pre-Earth Day.* We could do single-shot, conservation theme event in addition to the CA trip prior to Earth Day.
- *POTUS Recreation Event.* After Earth Day we could plan a recreation-themed LL event, perhaps with the U.S. Women's Soccer Team (which is already involved in supporting the Miller-Young bill).