



United States Department of the Interior



OFFICE OF THE SECRETARY
Washington, D.C. 20240

May 27, 1993

MEMORANDUM

TO: The White House
Katie McGinty, Office of Environmental Policy
Christine Varney, Cabinet Secretary

FROM: Tom Collier
Glynn Key

SUBJECT: Issue Management Reports

Attached for your review are six of the issue management reports. The final report on grazing fees will be sent to you tomorrow morning. Given the delay in your receipt of these reports, for which we apologize, we are sending them simultaneously both of you. Please contact either of us with any questions you may have.

Attachments
Endangered species
Grazing fees
Watershed initiative
Water projects (San Joaquin/Sacramento Bay Delta)
Gaming
Local survey



Department of Interior Issue Management Form
Endangered Species

Summary of Initiative:

The Endangered Species Act (ESA) is up for five-year reauthorization in FY 94. (If not formally reauthorized, the law can be renewed in its current form and funds provided for administration on a year-to-year basis through the annual appropriations process.) The Administration and Secretary Babbitt have strongly supported ESA, as have the Western Governors Association, International Association of Fish and Wildlife Agencies, and the environmental community.

Reauthorization bills have been introduced by Chairmen Studds and Baucus in the House and Senate, and hearings are likely to be held - - both oversight and possibly legislative hearings on the bills - - this year. But action is more likely in 1994 than 1993.

At the same time, Secretary Babbitt is considering various actions such as the "special rule" for the Southern California gnatcatcher to demonstrate to the public that the ESA has flexibility for creative applications that has not been utilized in the 1980's, thus building public support for the Act's reauthorization.

Measure of Success:

Legislation reauthorizing ESA in 1994 with changes to streamline and improve administration in ways that will more effectively preserve species while giving development interests more certainty with less cost; and

Development of new programs to be more anticipatory in protecting important habitat for threatened species.

Strategic Plan:

Develop by June 30 a proposed Administration position on possible changes to ESA. Work with supporters of Act and key committees of Congress to develop a joint position that by the end of 1994 will be supported by environmentalists, Governors, key members of Congress, state fish and wildlife agencies, scientists, and a broad spectrum of business interest.

Seek to move this bill in 1994.

Design anticipatory habitat protection programs at the Department of Interior for implementation in late 1993 and early 1994 to build public support for Act. Promote "Habitat Conservation

Plans" for existing species under ESA (gnatcatcher; desert tortoise; etc.)

Resolve the Northwest Forest controversy by the end of 1993 with a plan that protects old growth forest ecosystems while providing aggressively for assistance to local communities.

Begin in the fall of 1993 a federal multi-agency initiative with the Governors of Oregon, Washington, and Idaho to address the problem of more than 200 imperilled salmon runs in the Northwest, in order to head off litigation under ESA over many of these runs and a resulting "train wreck" that will dwarf the spotted owl controversy. Agencies include at least the following: Interior (Fish & Wildlife Service; Bureau of Reclamation; BIA); Commerce (NMFS); Defense (Army Corps of Engineers); Energy (Bonneville Power Authority); Agriculture (irrigated farming; grain shipping); Justice (existing ESA litigation); and EPA.

Presidential/VP Involvement:

Little involvement in 1993 in ESA reauthorization or implementation of supportive anticipatory strategies for habitat conservation.

Some involvement in promoting a Northwest Forest package that fully protects forests and complies with existing law, while providing countervailing assistance to communities. June through October 1993.

Very limited, short-term involvement in making certain multi-departmental salmon task force is formed. (September 1993)

Agency Lead:

Interior for ESA. White House Office of Environmental Policy for Northwest Forest Issues (primary responsibility for implementation will be Interior and Agriculture); To Be Determined for Salmon.

Update:

Major decisions concerning Northwest Forest issues will have to be made beginning immediately.

Key Contacts at Interior:

For ESA: Assistant Secretary for Fish and Wildlife and Parks
For Forest Issues: Tom Collier, Chief of Staff
For Salmon Issues: Betsy Rieke, Assistant Secretary for Water and Science

ISSUE: MINING LAW REFORM

Summary of Initiative

Reform of the General Mining Law of 1872 ("1872 Mining Law"), which governs the management and disposal of "hard rock" minerals on some 430 million acres of public lands managed by the Department of the Interior and USDA Forest Service in the western U.S. This is a high priority legislative issue for DOI.

The current law permits individuals and corporations to enter lands subject to the statute to stake claims to all hard rock minerals (ex., gold, silver, copper, platinum) contained therein. Claimants may occupy such claims and remove hard rock minerals, without paying the federal government rents or royalties. Claims may also be "patented", i.e., fee simple title to all minerals and the surface estate may be obtained, for either \$2.50 or \$5.00 per acre. Moreover, the statute contains no environmental protection requirements, and other land management objectives can be frustrated by the statute's implicit "dominant use" characteristics.

In recent years the Mining Law has come under increasing criticism from Congressmen, the General Accounting Office, DOI's Office of Inspector General and environmental groups for its failure to return "fair market value" to the government for minerals extracted under its auspices, the opportunity to obtain valuable public lands for prices far below market value, and for the lack of environmental protection provisions. The latter omission is increasingly a problem in the West, where modern open-pit extractive methods make extremely low-grade ore deposits economically attractive to mine, and large amounts of toxic chemicals (i.e., cyanide) are used in the refining process.

Reform proposals are pending in both Houses of Congress, with the Senate having passed an industry-backed bill (S. 775) on May 25. A bill supported by environmentalists and the National Taxpayers Union (H.R. 322) is expected to move in the House prior to the August recess. The Secretary has testified in favor of reform on three separate occasions, lending conceptual support to bills introduced by Sen. Dale Bumpers (S.257) and Nick Joe Rahall II (H.R. 322), while criticizing the industry-supported bill introduced by Sen. Larry Craig (S. 775).

Measure of Success

The Secretary has identified the following elements of successful reform legislation: (1) the patenting system should be abolished; (2) miners should pay an annual claim holding fee; (3) miners should not engage in environmentally disturbing activities until a plan of operations is approved and adequate bonds are obtained to assure post-mining cleanup and reclamation; (4)

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provisions to declare certain lands containing environmental or other natural resource values "unsuitable" for certain mining activities; (5) mining companies should pay a fair return to the public for the removal of valuable minerals from the public's lands.

Strategic Plan

o May 25 -- Senate passes industry-bill, described by Sen. J. Bennett Johnston, Chairman of the Senate Energy and Natural Resources Committee, as a "ticket to conference" with the House.

o Early June -- Secretary "withdraws" lands subject to the Mining Law under authority vested in PL 94-579, to protect such lands from the staking of new mining claims pending legislative resolution of reform issue (see caveat below).

o Late June early July -- House Natural Resources Committee marks-up H.R. 322. Department works with Majority and environmental advocates (influential with Democratic committee members) to develop technical and other amendments.

o Late July -- House passes reform measure. Department assists House leadership.

o September -- House/Senate Conference Committee. Department participates in deliberations.

o October -- Conference concludes. Department works with Senate leadership to assure votes for passage of conference proposal.

Caveats: (1) Withdrawal is necessary to protect lands vulnerable to the staking of mining claims under old statute while Congressional deliberations are underway, and to provide leverage to reform proponents to help assure passage of adequate reform legislation. (Although the action will put public lands off-limits to new claims, it will not affect ongoing exploration, development or mining on established claims.) Precedent for such action exists with establishment of Forest Reserves, Taylor Grazing Act, and Alaska National Interest Lands Conservation Act. Action will draw heavy criticism from industry and their political allies. Rationale for the action will have to be articulated, and western Democrats should be apprised of action prior to its taking place. All or some western Democrats may complain, but action will also provide a rationale to reform-minded western Democrats to keep reform legislation moving.

(2) Although mining industry is well organized, there is broad support within West for fundamental reforms (see Greenberg/Lake Montana poll of 12/91 and Research & Polling, Inc. New Mexico poll of 7/92). Industry advocates allied with "wise-use movement" are vocal, but appropriate public outreach efforts

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should be able to tap into substantial western support for reform.

(3) Primary industry argument against reform is alleged job losses from the imposition of royalties and fees. These claims are based on questionable analyses (see 4/92 CBO analysis of industry report). Moreover, recent CBO analysis (5/4/93) indicates net regional job increase from enactment of Rahall and Bumpers proposals, as a consequence of abandoned mined lands program authorized in their bills.

Level of Presidential/Vice Presidential Involvement

The President should be prepared for appeals from western Democrats to weaken reform proposals at various stages of Congressional deliberation, and in conjunction with withdrawal.

In addition, the media has criticized earlier Administration action in separating mining law reform proposal from budget package as a faulty decision. Therefore, the issue has a higher national media profile than might ordinarily be the case. In the regional media, mining law reform is a top media issue priority. Questions regarding the Administration's position are likely to be asked of the President and Vice-President by western regional media during western trips.

Agency Lead and Coordination

Bureau of Land Management should have lead, in consultation with Office of Surface Mining and Forest Service.

Weekly Update/Forecast

- o Mark-up date could be announced by House Natural Resources Committee.
- o Secretarial decision on timing of withdrawal.
- o Administration decision on position toward anticipated House Interior Appropriations Subcommittee imposition of a moratorium on patenting of mining claims.

Key Contacts

°Geoff Webb 208-7701

°Bob Armstrong 208-5676

°Jim Baed 208-7701

Department of the Interior Issues Management Form
Everglades Initiative

Summary of Initiative:

Creation of federal interagency task force to address comprehensively the ecological problems of South Florida's Everglades ecosystem and Florida Bay.

South Florida contains the largest intact wetlands ecosystem in the United States outside Alaska, and has more endangered species than any state other than Hawaii. Recreation and ecological values are exceptional. For a half-century we have ditched, diked, and drained South Florida thinking this was "progress." Now we realize this process has destroyed species and habitat, threatened supplies of fresh water to urban coastal populations, changed marine ecosystems, and degraded commercial and recreational fishing and other opportunities of significant economic value that also contribute to an excellent quality of life.

Restoration of some of the original water-flows to preserve species, guarantee water supplies, and promote protection of other natural resources can be a national priority and an example of environmental restoration that also promotes the economy.

Measure of Success:

Success will be measured by changes in the federal/state "plumbing" system for Southern Florida that increase fresh water flow through the southern third of the state (the "glades") and into aquifers and the Bay. Increased flows at the proper times can be accomplished by (1) new Corps of Engineers' projects; (2) changes in water management by state agencies and the Corps; (3) state and federal land acquisition for better water management; and (4) improved filtration of water from agricultural areas.

Strategic Plan:

The strategic plan includes:

(a) Implementing the settlement reached in major litigation against the State by the federal government through a state water management plan for the Everglades Agricultural Area.

This may require further administrative litigation over the plan itself, which is being contested by the sugar industry (trial date: fall 1993) and, eventually, a federal cost-sharing to create marsh filtration areas jointly with the state and agricultural industry in Florida (primarily sugar, and vegetable and citrus growers).

(b) Organization of a federal task force at the regional level including Department of Interior; NOAA; EPA; Justice; and Agriculture, guided by a policy-level Assistant Secretary Policy Group in Washington, D.C. The initial organizational meeting is scheduled for June 2-3, 1993, in Key Largo, FL. The task force will adopt a federal priority list of projects, a research agenda, and a workplan over the next several months.

(c) Completion of a Corps of Engineers Reconnaissance study of reprogramming water works in South Florida to achieve ecological objectives. The study will take 18 months and will begin in June 1993; one of the task force's first work products will be to define the objectives (in terms of water delivery amounts, hydropower, etc.) the Corps should use in its plan.

(d) Implementation of other priority objectives of the task force. These are likely to include management changes in the existing water works system, and significant land acquisition East and Southeast of Everglades National Park. Land acquisition will require introduction and passage of legislation to authorize the acquisitions (by the state and possibly federal governments), and obtaining the necessary funding to complete the acquisitions.

Level of Presidential/VP Involvement:

Little personal involvement. Excellent trip/event opportunities featuring environmental restoration and economic sustainability in a high-profile state.

Agency Lead:

Interior has taken the lead in assembling the federal task force because of national park and refuge lands, and Endangered Species Act responsibilities, in Florida. Other agencies listed above.

Update:

Organizational meeting of federal task force in Florida June 2-3, 1993. An attempt at mediation of the ongoing administrative litigation has been ongoing for several months; a decision may have to be made by early summer to delay the administrative trial to continue mediation, or "pull the plug" to prepare for trial.

Key Contacts:

Interior: Assistant Secretary, Fish and Wildlife and Parks
Corps of Engineers: Assistant Secretary of the Army for Civil Works (Acting: Ed Dickey)
EPA: Special Assistant to Administrator, Charles Fox
NOAA: Deputy Administrator
Justice: Suzan Ponzoli, Assistant US Attorney, Miami

San Joaquin/Sacramento Bay Delta

1. Summary of Initiative

Under the direction of Katie McGinty and Tom Epstein, the Department of Commerce (Doug Hall, Assistant Secretary of Commerce Designate for NOAA), EPA (Tudor Davis, Acting Deputy Assistant), and the Department of the Interior (Betsy Rieke, Assistant Secretary for Water and Science; Dan Beard, Commissioner of Reclamation; Jay Ziegler, Office of Public Affairs) are developing and implementing a strategy to deal with water quality and Endangered Species Act issues in the San Joaquin/Sacramento Bay Delta. The purpose of the coordinated effort is to develop a moderate, pragmatic approach to fulfill statutory duties of the agencies and a political strategy to assure this issue becomes a win for the administration. The Bay Delta issue is critical because (1) exercise of Federal responsibilities will reduce water supplies for Southern California, (2) preservation of the Bay Delta is a high profile objective for many groups and (3) we believe the Governor of California is attempting to use the issue to influence the next California gubernatorial election, perhaps the next Presidential election and perhaps amendments to the Endangered Species Act.

2. Measures of Success

Adoption of water quality standards by EPA that fulfill its duties to protect fish and wildlife, including listed endangered species, and minimize reduction in water deliveries to Central Valley Project water contractors.

Development of a long-term alternative by Federal agencies, the State of California and affected water users to the current use of the Bay Delta to wheel water from North to South.

Restoration of a viable ecosystem for the Bay Delta.

3. Background

On April 1, Governor Wilson stopped in its tracks a process he initiated a year ago to develop a water policy for the San Joaquin/Sacramento Bay Delta. The policy was to include interim State water quality standards for the Bay Delta and development of a comprehensive long-term Bay Delta solution. All water interests in California (agriculture, urban and environmental) were involved in the process. The draft interim water quality standards had been issued by the State Water Resources Control Board. Without any warning to the urban and environmental interests who had invested a lot of time and energy in the process, the Governor in essence rescinded the proposed interim water quality standards and

stopped his own process. He publicly blamed the feds -- because of the naming of the Delta smelt as an endangered species by Interior (an action long anticipated) and the word that EPA was going to reject the State's interim water quality standards and promulgate tougher ones. The tougher standards will result in a reduction in water deliveries to Southern California due to the need to retain water in the bay for salinity control purposes. There is some merit in his blaming the feds but to the best of our knowledge he did not contact any Federal agency in advance of the decision to stop the process.

Doug Wheeler of the California Resources Agency indicates the Governor was persuaded to rescind the standards and stop the process because:

1. DOI listed the Delta smelt as an endangered species and someone has estimated that loss of ag water due to actions necessary to protect the smelt to be well over a million acre feet.
2. As stated above, EPA was expected to reject the interim water quality standards and promulgate tougher ones that would cause an even greater loss of ag water.
3. Dave Kennedy, head of the California Department of Water Resources, persuaded Governor Wilson that he would never know what the feds were going to do next.

EPA is proceeding to prepare a proposed rule establishing Bay Delta water quality standards. EPA has been sued by SCLDF on the standards. The lawsuit seeks an order requiring EPA to adopt the standards on a schedule. The lawsuit must be answered by June 16, 1993. EPA is expected to negotiate a schedule for promulgating and adopting the regulations.

Urban and environmental interests are extremely dismayed by the Governor's actions and have turned to various Federal entities for assistance in resolving the situation.

It is important to note that the Governor sent a letter to the President on March 5 asking for coordination of the Federal activities affecting the Bay Delta (see Attachment 1). Attachment 2 is an April 15 letter from the Governor to the members of the Bay-Delta Oversight Committee (the committee directed to come up with the long-term solution) in which the Governor refers to a conversation with the President on April 2 in Portland and an anticipated positive response to his March 5 letter.

4. Strategic Plan

a. Strategy

1. Have Katie McGinty respond to Governor Wilson's letter of March 5 stating the administration's commitment (1) to coordinate management of water resources in California and (2) to seek constructive input from the State of California and water users.
2. Protect the administration by keeping responsibility for addressing issue at the agency level. This issue has evaded resolution for years and the likelihood of a clear win within next three years is low.
3. Enhance existing coordination among EPA, National Marine Fisheries Service, U.S. Fish and Wildlife Service and Bureau of Reclamation by expanding an existing MOU among the first three agencies or by use of some other mechanism to improve coordination with BOR.
4. Reinforce existing regional cooperation among the four agencies by leaving major responsibilities at the regional level with coordinated oversight at the D.C. level.
5. Develop a coordinated process for Federal agencies to consult with, but not negotiate with, the State and affected interests. Given the agencies' statutory responsibilities and the State's apparent agenda and tactics, negotiation is inappropriate.
6. Assure that Federal actions do not raise expectations by water users that the Federal government will somehow be able to make more water available than can be delivered given Federal responsibilities under the Clean Water Act and the Endangered Species Act.

b. Key Decision Points in 1993

1. EPA response to SCLDF lawsuit due June 16, 1993.
2. Preparation of a Regulatory Impact Analysis for EPA's water quality standards and designation of critical habitat for the Delta smelt. OMB review of Regulatory Impact Analysis.

3. EPA promulgation of water quality standards for Bay Delta - Fall '93.
4. USFWS designation of critical habitat for Delta smelt - Fall '93
5. Convening of task force to address long-term alternative to wheeling water from North to South through Bay Delta.

5. Level of Presidential/Vice Presidential Involvement

At this time, Presidential/Vice Presidential involvement is limited to coordination of the agency effort by Katie McGinty with input from Tom Epstein.

6. Agency Lead and Coordination

No lead has been assigned. Given EPA's major role in the Bay Delta due to the water quality standards it must develop, EPA is the logical lead.

7. Weekly Update/Forecast

The most important actions anticipated in the next two weeks are:

- a. Release of the response to Governor Wilson's March 5 letter to the President.
- b. Visit by Secretary Babbitt to California June 2-4.

8. Key Contacts

Katie McGinty, White House Office of Environmental Policy
Tom Epstein, White House Political Affairs

03/05/93 16:22 FAX 916 441 2704
03/25/1993 17:24 518-034-5556

STATE WATER CIRC
SPEECH/FILE ENLIGHT



PETE WILSON
GOVERNOR

State of California
GOVERNOR'S OFFICE
SACRAMENTO 95814

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TELEPHONE
(916) 445-2841

March 5, 1993

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

Dear Mr. President:

I urge your immediate attention on the serious issues of the San Francisco Bay-Sacramento/San Joaquin Delta.

Today's listing of the Delta Smelt as a threatened species by the Department of the Interior under the Federal Endangered Species Act is the latest in a series of developments for this heavily stressed estuary, which is the critical nexus of California's water delivery and supply system. The federal and state water projects that divert water from the Delta serve some 20 million urban users and millions of acres of some of the country's most valuable agricultural lands.

The Delta is also a fish and wildlife habitat of national significance. Last year, the winter-run Chinook Salmon was listed as threatened by the Department of Commerce, and two other fish -- the splittail and the long fin smelt -- are at present proposed for listing by the Department of the Interior. Further, the U.S. EPA claims oversight authority of the estuary under the Clean Water Act.

I am writing to request that you intervene to coordinate the various agencies of the federal government which have authority over disparate but significant issues relating to California's Bay-Delta. If not properly coordinated, these regulatory decisions make more likely severe economic dislocation as they serve to limit the transport of water through the Bay-Delta to agricultural and urban consumers. Additionally, this species-by-species approach is the aquatic equivalent of not seeing the forest for the trees. Our fish and wildlife resources are also not well served by such a disjointed, uncoordinated approach.

As you may already know, the State is taking important action that serves as the foundation for a more cooperative approach. The California Water Resources Control Board is

The Honorable Bill Clinton
March 5, 1993
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developing new interim water quality standards for the Bay Delta estuary. In order to determine a permanent solution, I have convened the Bay-Delta Oversight Council, composed of 22 leading Californians representing all the key interests. The function of the Council is to oversee preparation of a comprehensive environmental review of all options for management of the Delta, under provisions of the National Environmental Policy Act and its California equivalent.

This approach reflects my belief that the long-term solution to the problems of the Bay-Delta lies in anticipatory, multi-species habitat conservation - rather than the one-time, single species process that characterizes the approach that has brought us to this perilous point. We must urgently find a way for the relevant federal agencies to work within the process we have established here in California so that we can move forward equitably, effectively, and efficiently to resolve these complex issues.

We are moving in a similar direction in Southern California under a process called Natural Communities Conservation Planning, which holds great promise for terrestrial species, as Secretary of the Interior Babbitt has recognized. This program seeks to conserve an entire habitat in sufficient amounts such that the potentially threatened and endangered species that inhabit it can be protected permanently, while accommodating necessary economic development.

Thus, recognizing the diverse interests of the federal government in the great resource that is the Bay-Delta, I request that we convene a meeting of senior policy officials from the federal government and from the State of California. The purpose of this meeting would be to discuss and recommend steps toward improving the Bay-Delta by taking into account both its critical economic significance and its environmental values.

I look forward to working with you and those in your Administration on this important matter.

Thank you very much.

Sincerely,



PETE WILSON

GOVERNOR PETE WILSON

April 15, 1993

Members of the Bay-Delta Oversight Council,

Many developments related to the San Francisco Bay-Delta Estuary have taken place since I asked each of you last December to serve as a member of the Bay-Delta Oversight Council. I want to reaffirm the critical importance of the tasks you have undertaken and reaffirm my personal leadership commitment to working for solutions to the interrelated problems of the Bay-Delta Estuary.

As you know, I proposed in a March 5 letter to President Clinton that our administrations launch a high-level effort to determine how we can best work together to improve the Bay-Delta "by taking into account both its critical economic significance and its environmental values."

I had the opportunity to discuss this directly with the President on April 2 in Portland, and he assured me that I will be receiving a response to my March 5 letter. I anticipate a positive response which will allow the State and Federal governments to work together to meet our separate but interdependent responsibilities.

The Bay-Delta Oversight Council is important to resolving this economic and environmental problem of state-wide significance. BDOC provides the forum to identify and meet the long-term needs of all Californians. You have my full commitment to stand by and assist you in this historic task.

Sincerely,


PETE WILSON

INDIAN GAMING

1. Summary of Initiative:

Indian gaming has become a problem because of the dissatisfaction of governors and tribes with the Indian Gaming Regulatory Act (IGRA).

The governors believe that the Act inappropriately permits Indian tribes to conduct gaming activities that are illegal in their States; the tribes believe that the "comparative advantage" in gaming activities that IGRA gives them provides much needed funds for education, health and social programs, and that Indian Gaming is the functional equivalent of State lotteries.

DOI has worked to reduce the conflict in this area by "mediating" disputes between governors and tribes as they arise. For example, we have worked with the Governor of Arizona and Arizona tribes to construct a proposed settlement of their well publicized dispute. This settlement will create an opportunity for all of Arizona's tribes to commence limited gaming under a regulatory scheme satisfactory to the State. We have been invited to provide similar assistance in at least two other States. This initiative has the active support of Senator Inouye, the Chairman of the Senate Select Committee on Indian Affairs.

2. Measuring Success:

We will consider our initiative successful if it reduces the amount of controversy about Indian gaming by demonstrating that States and tribes can come to mutually satisfactory agreements that enable tribes to engage in the types of gaming that preserve their comparative advantage while satisfying State interests.

3. Strategic Plan:

- Complete Arizona settlement.
- Commence negotiations in other States as requested.

4. Level of Presidential/V.P. Involvement:

We do not believe that the initiative is likely to require the President's or Vice President's personal involvement.

5. Agency Lead:

DOI will continue to have the lead responsibility for developing this initiative.

6. Weekly Update:

No major actions are expected in the next two weeks.

7. Key Contact:

John J. Duffy, DOI, (202) 208-5504.

Department of Interior Issue Management Paper
National Biological Survey

Summary of Initiative:

Consolidate biological research and inventorying activities from eight bureaus within the Department of the Interior into a single, new bureau, the National Biological Survey (NBS), beginning October 1, 1993.

The purposes of this initiative are: to consolidate, make more efficient, and "power up" the Department's biological science programs; to create a base bureau for inventorying all of the nation's living resources; to create a database for more anticipatory planning to protect endangered species and habitats.

Measure of Success:

Securing passage of a budget amendment (submitted April 1993) and authorizing legislation to create NBS. Getting NBS up and running in FY 1994.

Strategic Plan:

Secure Appropriations Committee approval in both House and Senate, and passage, of budget amendment. Through Secretarial Order, create NBS and begin operations with appropriated funds on October 1, 1993.

Work with authorizing committees (House: Merchant Marine and Natural Resources; Senate: Environment and Public Works) and other key committee chairmen to shape authorizing legislation. Pass legislation, if possible, by the end of the congressional session in 1993.

Anticipated appropriations committee mark-ups in June and July.

Internal implementation team is working at DOI to prepare for start-up operations. Outreach campaign is also underway to seek input on implementation issues and future coordination with DOI bureaus (managers and scientists), state fish and wildlife agencies, Fish and Wildlife Service cooperative research units (states and universities are partners in most states), scientific community, and other federal departments and agencies.

Level of Presidential/VP Involvement:

Not significant unless limited personal involvement of VP needed to urge appropriations committees to approve NBS budget amendment.

Agency Lead:

Department of the Interior.

Weekly Update:

Next several weeks: continuing outreach, implementation, and educational activities as described above.

Key Contacts:

Assistant Secretary of Interior for Fish and Wildlife and Parks

THE WHITE HOUSE
WASHINGTON

June 1, 1993

John:

For circulation as appropriate.


Christine

TODD
Dwyer



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240



May 28, 1993

Memorandum

To: The White House
Katie McGinty, Office of Environmental Policy
Christine Varney, Cabinet Secretary

From: Tom Collier
Glynn Key

Subject: Issue Managment Report

Attached for your review is the issue management report on grazing fees. Please contact either of us with any questions that you may have.

Attachment

RANGE MANAGEMENT REFORM ON PUBLIC LANDS

Summary of Initiative

Reform of the livestock grazing program on public lands administered by the Bureau of Land Management to (1) provide a fair return to the public for the use of public lands by livestock producers who graze cattle and sheep on the public domain; (2) improve and restore tens of millions of acres of public lands and thousands of stream miles of wildlife and aquatic habitat degraded by decades of poor livestock grazing practices. This is a top administrative reform issue of DOI.

Most initial reforms can be accomplished administratively under existing statutory authorities. Controversy has surrounded the fee issue in recent years, with critics charging that the present formula used to calculate grazing fees results in receipts that are far below market value, depriving the land management agency (BLM) of sufficient revenues to properly manage public rangelands. There is growing concern in the environmental community regarding the condition of public rangelands, and the destruction caused by improper grazing practices to environmental (especially wildlife habitat), water quality and aesthetic values.

Critics have charged that the failure of DOI to deal effectively with range management problems is due to the political clout of the western livestock industry with both western Congressional delegations and DOI. While only a minority of western livestock producers have access to public lands for grazing (about 8% of all western livestock producers), their political influence in the past has been considerable.

Measure of Success

Legislation -- Bills are pending in the House and Senate which address various range management reform issues. Provisions to increase fees are expected to be attached to the House version of the Interior and Related Agencies Appropriations bill for FY 1994.

Presidential/Vice Presidential Action -- Potential Executive Order on grazing fees and certain management initiatives.

Agency action -- Most initial goals can be accomplished via DOI regulatory and policy initiatives.

Strategic Plan

A series of western public field meetings have been conducted by the Secretary throughout the west to obtain ideas on various policy options from both sides.

Next step is preparation of internal policy option papers, followed by recommendations regarding potential Executive Order and regulatory initiative.

After E.O. and/or regulatory proposals are published, additional public meetings or hearings will be held. Congressional oversight is anticipated.

Initial policies should be established prior to initiation of the next budget cycle (FY 1995) and "grazing year" (March 1994).

Level of Presidential/Vice Presidential Involvement

Possible overtures to President from western Democratic political leaders, including Representatives, Senators and governors.

Agency Lead and Coordination

Bureau of Land Management will be lead agency for DOI. USDA Forest Service also has management responsibilities for National Forest range program. At the present time both DOI and USDA are cooperating on this issue.

Weekly Update/Forecast

Schedule for development of policy option documents should be ready within the week, as should proposed schedule for rulemaking and/or promulgation of E.O.

BLM Director testified at 5/25 hearing on BLM reauthorization legislation before House Natural Resources Committee. Possible hearing on grazing policy in July in the Senate Energy and Natural Resources Committee.

Future western public hearing or meetings are anticipated prior to the adoption of final decision/policies.

Key Contacts

Geoff Webb	-	208-6913
Jim Baca	-	208-7701
Bob Armstrong	-	208-5676

PACIFIC NORTHWEST AND NORTHERN CALIFORNIA
FOREST MANAGEMENT PLAN

93 JUN 2 P5:53

SUMMARY OF INITIATIVE:

Within 60 days of the Forest Conference, the President asked the appropriate cabinet secretaries to report back to him with a plan for protecting both the forests and forest based communities of northern California and the Pacific Northwest.

The administration is pursuing this matter to meet two of the President's campaign pledges. First, to break the gridlock which has brought the region's forest management programs to a standstill. Second, to fulfill the promise to "reject the false choice between jobs and the environment".

MEASURE OF SUCCESS:

A successful initiative would legislatively break the administrative gridlock and allow the current injunctions on federal timber sales to be lifted by the end of the summer. With the injunctions lifted, timber sales could move forward as long as they were in compliance with the principles laid out by the scientific team in Portland, OR.

The legislation would also: (1) provide cover from judicial challenges while a longer-term (1 1/2 to 2 years) administrative planning process would allow the agencies to incorporate the scientist's work into their legally required land management plans, and, (2) lay out a worker and community assistance program to help those who will be impacted by the sharp reductions in federal timber supply.

If congress cannot bless a short-term remedy, the President should announce that the land management agencies should administratively adopt the scientists plan. Under this scenario, no appreciable level of timber sales would go forward for 1 1/2 to 2 years. However, the President will still have exerted leadership and chosen a new path instead of treading water like the Bush administration did.

STRATEGIC PLAN:

Key Decision Points:

- o Under the limits being provided by the scientific team, how much old growth should be protected and how much should be available for harvest?
- o What financial resources should be dedicated to community and worker assistance programs? Is a \$500,000 million investment worth the political support from communities and states that would be forthcoming?

o Should a citizen's ability to judicially challenge the scientific plan be limited for two years while the land management agencies incorporate the scientist's principles into their long-term forest management plans?

o Should guidelines for a similar forest management process forests east of the cascades be apart of this forest management plan?

Legislative Calendar:

Ideally, a bill would be passed by the August recess. This provides a six to eight week planning horizon. With all that action on this issue over the last four years, a truncated legislative process is possible.

June 1/July 1 - Closed door negotiations with key Congressmen Dicks, Defazio, McDermott, and Foley, and Senators Hatfield and Murray. Also include House and Senate Committee chairs.

June 21/July 2 - Develop legislation based on proposal and congressional input.

July 2 - President announces package and has key congressmen and/or committee chairs introduce package.

July 12/July 16 - Senate and House Joint hearings.

July 19/July 23 - House mark-up and passage

July 26/August 5 - Hold House passed bill at the desk in the Senate. House and Senate negotiations on final package.

August 6 - House and Senate final passage.

August 9 - President signs bill.

Key Public Action Points:

o Both industry and environmentalists are expected to oppose whatever we come up with. However, there are grassroots, community, and state opinion leaders that want to be part of the solution. These opinion leaders should be brought in to the process a week or two before the President announces his plan.

In addition, something will have to be done to provide special assistance to the Carpenters Union as they are a part of your political base that will likely be disappointed by the solution.

Probable Ending Point: Week of August 9th.

LEVEL OF PRESIDENTIAL/VICE PRESIDENTIAL INVOLVEMENT:

The President should: (1) separately brief the congressional delegation and interest groups when he announces the plan, (2) plan on making personal calls to key congressional leaders mentioned above at least while the House and Senate are negotiating a final package.

The Vice-President should: (1) attend the congressional briefings, (2) hold a series of meetings with the interest groups following the President's announcement, (3) be available during the House negotiations.

AGENCY LEAD AND COORDINATION:

The White House Office on Environmental Policy will take the lead. The Departments of Interior, Agriculture, Commerce, and Labor and the Environmental Protection Agency will assist the Office on Environmental Policy in this effort.

WEEKLY UPDATE/FORECAST:

Within the next week the President should decide whether he would like the appropriate cabinet secretaries and their staffs to begin negotiations with congress and/or interest group representatives.

KEY CONTACTS:

White House Policy: Katie McGinty, Office on Environmental Policy

White House Communications: Marla Romash, Office of the Vice-President

White House Legislative: Susan Brophy, Office of Congressional Affairs

Agencies:

Agriculture: Jim Lyons, Assistant Secretary of Natural Resources and Environment

Interior: Tom Collier, Chief of Staff
Stephanie Solien, Director of Congressional Affairs
Tom Tuchmann, Special Assistant to the Secretary

Commerce: John Silver, Special Assistant to the Secretary

Labor: Chuck Richards, Special Assistant to the Secretary

EPA: Chuck Fox, Special Assistant to the Secretary

Climate Change Mitigation Plan

Summary of Initiative

In order to fulfill the President's Earth Day commitment to return U.S. emissions of greenhouse gases to their 1990 levels by the year 2000, the Office on Environmental Policy has initiated an interagency policy group to develop a plan by August. The plan development will involve public participation from affected stakeholders. The goal of the effort is to identify cost-effective policies for greenhouse gas reductions consistent with Administration economic objectives of economic growth and to reaffirm U.S. leadership on this international environmental imperative.

Measure of Success

This initiative will be successful if the following conditions are met:

- 1) Public participation and Congressional input lend legitimacy to the Administration deliberation;
- 2) The plan presented in August is recognised as a fair, balanced, and economically responsible response to the problem of climate change;
- 3) The analysis that underlies the plan confirms that the program will fulfill the President's commitment;
- 4) Actions taken under the plan can begin immediately, including possible recommended legislation;

Strategic Plan

The planning timelines are very compressed and are aimed at presenting the plan in mid-August.

June: In the second week of June, we are inviting public comment in a Plenary Session and Issue Workshops that will involve personnel from the Executive Office of the President and several Departments. In mid-June, the interagency deliberative group will meet to evaluate proposals made in the workshops and to begin an integrated economic analysis of preliminary proposals. OEP will also conduct a brief Congressional workshop to get Hill input. The interagency group will also give directives for a follow-up workshop in late June.

July: The interagency teams will continue analysis and begin to focus on the preferred set of options. Additional Congressional input will be solicited. By late July, a document will be drafted outlining interagency consensus on a package of options and those options that require decisions by

principals.

August: The final set of choices will be forwarded to principals to deliberate on the final package. The plan will be announced in mid-August to coincide with the International Negotiating Committee meeting in New York. The plan will be an outline of actions that may require further refinement for implementation and possible legislative enactment.

Autumn: Begin legislative process if needed for elements of the plan.

Level of Presidential/Vice Presidential Involvement

The President and Vice President should be informed about the policy choices that will confront the Administration in late July. The Vice President could speak, if possible, at the Plenary Session in early June. The President or Vice President should participate in the August announcement.

Agency Lead and Coordination

Office on Environmental Policy will lead the interagency effort. In addition to Executive Office of the President (CEA, DPC, OMB, NEC) the Departments of Energy, Treasury, Commerce, Transportation, Agriculture, State, and Interior and the Environmental Protection Agency are involved in the planning and eventual implementation of the package.

Weekly Update/Forecast

Congressional hearing May 26 with EPA, DOE, and State Department describing policy development process and initial Administration position on the kinds of options considered.

June 10-11 Plenary Session/Workshops to involve public input.

Key Contacts

Office on Environmental Policy:
Katie McGingy
Marc Chupka

Policy:?

Communications?

Legislative:
Barbara Chow

Biological Diversity Initiative

Summary of Initiative

In his April 21 Earth Day speech, the President announced that the United States will sign the Convention on Biological Diversity, and that the Administration will develop and implement a full strategy for biodiversity conservation.

Measures of Success

- o Signing and ratifying the Biological Diversity Convention.
- o Resolving concerns about protection of intellectual property in a manner satisfactory to the U.S. biotechnology industry, environmental organizations, and other nations.
- o Effectively representing U.S. interests in forthcoming international discussions on the need for a biotechnology safety protocol to the Convention.
- o Preparing a full strategy for conservation of biodiversity, including clear objectives for and coordinated implementation of U.S. international assistance efforts.

Strategic Plan

- o Through discussions with biotechnology industry and environmental group leaders before the President's Earth Day speech, the Administration satisfactorily resolved that industry's concerns over protection of intellectual property. As a result, the industry dropped its earlier opposition to signing the Convention.
- o UN Ambassador Albright will sign the Biodiversity Convention by June 4, 1993. (This is the last day on which the treaty may be signed.) She will make a positive signing statement elaborating U.S. views on the importance of biodiversity conservation and on Convention issues of concern.
- o The State Department, in consultation with other agencies, will continue discussions with other nations to obtain their support for an interpretive statement on technology transfer and financial assistance provisions of the treaty.
- o When these negotiations are satisfactorily completed, the Administration will submit the treaty to the Senate for advice and consent to ratification.
- o On the issue of a biosafety protocol, the State Department will participate in international discussions, in consultation with other agencies. The U.S. position will be that such a protocol is not needed. If other nations nonetheless proceed to negotiate a biosafety protocol, our participation will enable us to influence its terms.
- o The State Department, consulting with other agencies, will prepare a full strategy by this fall to set clear objectives for and coordinate U.S. international assistance related to biodiversity conservation. This will involve a review of priorities for bilateral and multilateral aid.

Level of Presidential/Vice Presidential Involvement

The President's announcement on Earth Day, reversing the prior Administration's refusal to sign the treaty, was an important signal of policy change.

- o Although negotiations with other nations over the interpretive statement should be satisfactorily concluded at the level of the State Department, it is possible that Presidential or Vice Presidential communication with some foreign leaders may be needed.
- o There may be another opportunity for a Presidential or Vice Presidential announcement when negotiations with other nations on the interpretive statement are completed, and the treaty is submitted to the Senate for ratification.

Agency Lead and Coordination

The State Department has the lead on these issues, in consultation with other agencies.

Key Contacts

National Security Council - Eileen Claussen

Office on Environmental Policy - Katie McGinty, David Doniger

State Department - Eleanor Constable (Assistant Secretary for Oceans, Environment, and Science),
Melinda Chandler (Office of the Legal Adviser)

PRESIDENT'S COUNCIL ON SUSTAINABLE DEVELOPMENT

Summary of Initiative:

On June 14, 1993, the President will sign an Executive Order to establish the President's Council on Sustainable Development. The Council will help develop initiatives which foster economic growth by utilizing this nation's natural and cultural resources in the most effective and efficient manner. The recommendations of the Council (whose members will include 5 cabinet secretaries) will be forwarded to the President and the agencies for possible implementation in our domestic policy.

Measure of Success:

- * This Council will be instrumental in recommending a menu of initiatives to the President pursuant to the creation of the "Sustainable Development Action Strategy". The Council will create issue specific national committees to focus on areas such as: agriculture, design/urbanization, education, energy, environmental justice/equity, technology, and transportation.
- * This Council will also identify short and long-term projects which can be carried out in localities and states throughout the nation, demonstrating and testing the viability of the Council's recommendations.
- * A Presidential Award will be established for exemplary service demonstrating a commitment to National sustainable development. Other awards may be created by the Council to honor outstanding local and regional sustainable development efforts.

Strategic Plan:

The time line of major steps for achieving success with this initiative is as follows:

- * The Council will be composed of twenty-five members who will represent industry, environmental, governmental, and not-for-profit organizations who have experience in matters of sustainable development. The Council will meet quarterly.
- * The Council will hold its first session on June 14, 1993, immediately following the Presidential announcement.

- * The Council will formulate a very broad strategy by December 31, 1993, at which time it will be reported to the United Nations.
- * The Council will release a more defined (interim) strategy by June 1, 1994.
- * The Council will release a preliminary refined report on the strategy including demonstration projects by June 14, 1995.
- * The Council will release a final report related to the strategy including the demonstration projects by December 31, 1995.

Level of President/Vice Presidential Involvement:

The President and Vice President will attend the announcement of the Council in the Rose Garden at the White House on June 14, 1993. Subsequently, the President will attend the first session of the Council for a few minutes. Occasionally the President or Vice President will attend one of the quarterly Council meetings basically at their own discretion.

Agency Lead and Coordination:

The Office on Environmental Policy has the lead responsibility for developing the initiative. The agencies that will be seated as members of the Council are as follows: The Department of Interior, The Department of Agriculture, The Environmental Protection Agency, The Department of Commerce, and The Department of Energy. An ex-officio member will represent the State Department. Other agencies that will participate on a special agency task force of the Council will be The Department of Transportation, The Department of Housing and Urban Development, The Department of Labor, The Department of Health and Human Services, and the Office of Science & Technology.

Weekly Update/Forecast:

- * The vetting process will be under way over the next two weeks for the twenty-five members of the Council.
- * The Presidential announcement of the Council in the Rose Garden on June 14, 1993, and the first session of the Council immediately following. This will also include the signing of the Executive Order.

Key Contacts:

The key people who were consulted by the Office of Environmental Policy (Katie McGinty - Director and John Shafer - Associate Director) in developing the Council are as follows:

- * White House Policy - Janet Blanchard (official)
Bob Hattoy (official)
Joan Bagget (official)
Suzanna Valdez (official)
Jim Maddy (unofficial)
Peter Knight (unofficial)
- * White House Communications - Marla Romash
- * White House Legislative - None
- * Agencies - Secretary Babbitt
Secretary Brown
Secretary Espy
Secretary O'Leary
Administrator Browner

ISSUE MANAGEMENT: WETLANDS

Summary of Initiative

On April 28, 1993, the President received a letter from seven Members of the U.S. Senate asking that he establish a working group on federal wetlands policy (Breaux, Pryor, Bumpers, Johnston, Mathews, Sasser, and Ford). During consideration of the EPA cabinet bill in the Senate, Sen. Breaux was given assurances that the White House would convene such a group. The Interagency Working Group on Federal Wetlands Policy will review and seek to clarify the issues surrounding federal wetlands policy in anticipation of the reauthorization of the Clean Water Act.

The working group will comprise representatives of all federal agencies involved in, or impacted by, the protection of wetlands. In addition, the working group will solicit a broad range of views, including those of the Congress; state and local government; environmentalists; developers and homebuilders; agricultural interests; and others.

Measure of Success

The initiative will be deemed a success if it (1) meets the terms of our agreement with Sen. Breaux; (2) provides a low-visibility forum for discussing this controversial issue; and (3) helps to define some common ground in the highly polarized debate over federal wetlands policy prior to the reauthorization of the Clean Water Act.

Strategic Plan

We will be meeting with Sen. Breaux's staff this week to reach consensus on the process to be followed in carrying out the working group's charter. (It should be emphasized that we are committed to reaching consensus with the Senator's staff on this process; no commitments have been made with respect to policy.) One issue that will be discussed is the Senator's expectations concerning the timeframe in which the working group will operate. To be relevant, the group's work should be completed before the reauthorization of the Clean Water Act is marked up in committee in either body. The only precise decision date at this point is July 28, when the Senate Environment and Public Works Committee currently intends to hold a hearing on federal wetlands policy. The Senate is expected to mark up the Clean Water Act reauthorization in the fall. The markup schedule in the House has not been determined, but it could begin in late July. Such a compressed schedule would limit the scope of the working group's policy review. We will have a precise timeline for this initiative by Friday, May 28.

ISSUE MANAGEMENT: WETLANDS (cont.)

Level of Presidential/Vice Presidential Involvement

As currently envisioned, this initiative will not require Presidential or Vice Presidential involvement.

Agency Lead and Coordination

The White House Office on Environmental Policy will coordinate the activities of the working group. The group will include representatives from the Department of Commerce (NOAA); Department of Defense (Corps of Engineers); Department of Energy; Department of Housing and Urban Development; Department of Interior; Department of Justice; Department of Transportation; and the Environmental Protection Agency.

Weekly Update/Forecast

No major actions are expected in the next two weeks aside from the issues described above under Strategic Plan.

Key Contacts

Office on Environmental Policy: Keith Laughlin (6541)

Communications: Marla Romash (7034)

Legislative: To Be Determined/House (6620)

Tracy Thornton/Senate (7054)

EPA: Chuck Fox (260-7960)

AGENDA 21

Summary of Initiative:

Pursuant to the 1992 Rio de Janeiro Earth Summit recommendations - Agenda 21, each nation must engage in an review of its existing environmental position and develop a long-range national environmental strategy.

Measure of Success:

The Office on Environmental Policy ("OEP") will coordinate an interagency task force to review current environmental practices and goals, and prepare a report to the United Nations on each of Agenda 21's cross-cutting chapters (the chapters requiring reports will be specified at the United Nation's Commission on Sustainable Development meeting on June 14, 1993). OEP will respond in a timely fashion, submitting its reports by December 31, 1993.

OEP will develop a National Sustainable Development Action Strategy by December 31, 1993 to move this nation toward compliance with Agenda 21. OEP will direct the President's Council on Sustainable development which will coordinate a national grassroots campaign to address the suggestions and concerns of the public. From this grassroots initiative the OEP will develop and with the agencies' assistance will implement short and long-term projects throughout the country.

Various agencies (i.e. EPA, DOE, DOT, DOI, etc.) will be involved in an inter-agency task force to be assembled by OEP subsequent to June 14, 1993, after the UNCSD issues the official list of cross-cutting chapters for annual reporting purposes.

Strategic Plan:

As described above the inter-agency task force cannot be assembled until after the UNCSD issues the official list of cross-cutting chapters for annual reporting purposes. After the task force is assembled drafting responsibility for various chapters will be assigned. Final reports will be due by December 31, 1993.

Level of Presidential/Vice Presidential Involvement:

None at this time.

Agency Lead and Coordination:

The OEP will have lead responsibility. Other agencies will be involved as described above.

Weekly Update/Forecast:

None at this time.

Key Contacts:

OEP will be responsible for this initiative and the coordination efforts with appropriate agencies.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410

May 21, 1993

MEMORANDUM TO: Mark Gearan
John Podesta
Christine Varney

THROUGH: Bruce Reed
Gene Sperling

FROM: Secretary Henry Cisneros

SUBJECT: Issue Management

Pursuant to your memorandum of May 17, 1993, following are issue management summaries for the Department.

INITIATIVE #1: HOUSING REAUTHORIZATION BILL

Summary of Initiative

The Department will be seeking an authorization bill this year to accomplish a series of important objectives.

First, the bill would streamline several HUD programs -- including HOME and public housing modernization -- to give local recipients greater flexibility in designing and implementing housing solutions. HUD's programs are mired in regulatory and administrative gridlock, stemming in part from overly restrictive statutory provisions.

Second, the bill would give the Department the authority and tools to remedy its systemic management deficiencies. Emphasis would be placed on disposing the tens of thousands of FHA multifamily properties that, through default and foreclosure, are now owned by the Department.

Third, the bill would authorize a number of Secretarial initiatives, including efforts to:

enhance fair housing;

remove barriers to work in HUD programs and create economic opportunities for low-income residents;

give local entities the flexibility and resources to

combat crime in and around public and assisted housing;
enhance homeownership opportunities for low and
moderate income homebuyers;

facilitate the development of affordable housing that
is economically integrated; and

reconstruct and replace severely distressed public
housing.

Finally, the bill would make a series of technical
corrections to HUD programs, including programs authorized
in the Housing and Community Development Act of 1992.

Measure of Success

Successful completion of this initiative would involve
having the bill passed by both the House and the Senate, and
signed into law by the President by December 1993, followed
by implementation by HUD (issuance of regulations, etc.)

Strategic Plan

Timeline:

May/June 1993	Legislative drafting and internal Departmental clearance; clearance by OMB.
June 1993	Sharing of legislative concepts with relevant housing interest groups and constituencies
	Legislative package officially transmitted to the Hill (House and Senate Banking Committees)
	Package Introduced House/Senate Hearings Committee Markups
July/August 1993	Floor Action (House and Senate)
September 1993	Conference
October thru December 1993	Final Passage Bill Signed Into Law

To ensure final enactment by December 1993, the Department would need to send a complete package to the Congress (including legislative language, section-by-section and explanatory language) by June or July at the latest. Markup by the House and Senate authorizing Committees, as well as floor action, could then take place either prior to the August recess or just following the recess in early September. Conference would then follow in late September or October and final enactment sometime between October and the end of the session (November or December).

To meet these tight deadlines we are pursuing the following strategy:

- o Legislative drafting is currently underway. We are working toward having a final package (cleared internally by the Department) by the end of next week (May 28th).
- o At the same time, we continue to work closely with OMB, sharing information (policy concepts for the bill as well as actual legislative language) and obtaining preliminary feedback and approval for most of the technical portions of the bill. We continue to work with OMB on the remaining portions of the bill.
- o I have met with the Chairmen and Ranking Members of the House and Senate authorizing Committees to discuss our legislative agenda with them.
- o We have also begun to share the policy concepts for the bill with the appropriate Committee staff.
- o Once the legislative package is complete, we plan to share it with the relevant housing interest groups and constituencies in order to allow for their input and feedback.
- o The package would be sent to the Hill toward the end of June. The package would be introduced by the House and Senate Committee Chairmen so that it can move through both bodies simultaneously.
- o We plan to work closely with the House and Senate authorizing Committees to move the bill forward.

Level of Presidential/Vice Presidential Involvement

This initiative will probably not require the personal involvement of either the President or the Vice President,

although White House support of the initiative will help to ensure its success in the legislative process.

Agency Lead and Coordination

HUD will have the lead in developing the housing bill. No other agencies are expected to play a role at this time.

Weekly Update/Forecast (May 21st - June 4th)

Legislative package cleared internally within the Department and with OMB. Package shared with relevant housing interest groups and constituencies. Package readied for transmittal to the Congress.

Key Contacts

White House Policy	To be determined
White House Communications	To be determined
White House Legislative	To be determined
Agency (HUD)	Bruce Katz

INITIATIVE #2: FAIR HOUSING EXECUTIVE ORDER**Summary of Initiative**

We submitted a draft Executive Order and Presidential Memorandum to the White House and OMB for review in April. The primary objective was twofold: to commemorate the 25th anniversary of the Civil Rights Act of 1968 (the Fair Housing Act) and to affirmatively further fair housing.

The Executive Order and Memorandum would:

Establish the President's Fair Housing Council, consisting of selected Cabinet members, and charged with reviewing the design and delivery of Federal programs to assure that they support a consistent strategy to affirmatively further fair housing;

Direct the Council to develop a pilot program to break down interjurisdictional barriers and coordinate Cabinet programs to promote the achievement of equal housing opportunity; and

Update Executive Order 12259, to take account of changes made by the Fair Housing Amendments Act of 1988.

Measure of Success

Issuance of the Executive Order and Memorandum and formation of the Council.

Strategic Plan

The draft plan was circulated by OMB to the affected agencies for comment.

Level of Presidential/Vice Presidential Involvement

The only active involvement required by the President/Vice President would be in the actual issuance of the Executive Order.

Agency Lead and Coordination

HUD has been the lead agency for development of the initiative and would chair the Fair Housing Council. Other agencies involved in the Council would include: HHS; Transportation; Education; Labor; Defense; Agriculture;

Veterans Affairs; Treasury; Justice; the Federal Reserve;
and the FDIC.

Weekly Update/Forecast

Action on the Executive Order will depend in part on when the nomination of Roberta Achtenberg, Assistant Secretary for Fair Housing and Equal Opportunity, is confirmed by the Senate. We anticipate that she will be confirmed by next week and at that point we will resume our work with OMB in ironing out the details of the order.

Key Contacts

White House Policy
White House Communications
White House Legislative
Agency (HUD)

To be determined
To be determined
To be determined
Bruce Katz
Roberta Achtenberg, Assistant
Secretary for Fair Housing and
Equal Employment Opportunity

INITIATIVE #3: HOMELESSNESS EXECUTIVE ORDER

The Executive Order -- Federal Plan to Break the Cycle of Homelessness was announced by the President on Wednesday, May 19, 1993.

The Executive Order directs the Interagency Council on the Homeless to develop a coordinated plan directed at ending homelessness and to report back to the President in nine months. Issuance of the Executive Order coincided with the first meeting of the Interagency Council on the Homeless.

INITIATIVE #4: FEDERAL PROPERTY DISPOSITION EXECUTIVE ORDER**Summary of Initiative**

The draft Executive Order would have the President establish an Interagency Task Force on Property Disposition. The Task Force would help to elevate attention to the issue of property disposition and to send the signal that property disposition has the highest priority because of its importance in helping low-income families and communities. The Task Force would include HUD, RTC, FDIC, and all other agencies now meeting on an informal basis (including Veterans Affairs, Farmer's Home, GSA, Fannie Mae, Freddie Mac, and the Federal Housing Finance Board). The Task Force would consider issues such as:

Establishing a property disposition clearinghouse to provide purchasers of property single place to get information on all government properties for sale;

Coordinating management and sales activities among the agencies; and

Improving coordination of affordable housing programs with property disposition efforts, to make existing resources available to low and moderate income families wanting to purchase government-owned properties.

Measure of Success

The initial measure of success would be having the Executive Order issued by the President and the Task Force begin work on the issues identified above. The second measure of success would be the effective coordination of federal efforts related to property disposition as well as success in serving low and moderate income families.

Strategic Plan

The contents of the Executive Order will be developed over the next month and transmitted to OMB. The Order would be issued by the President once approved.

Level of Presidential/Vice Presidential Involvement

The only active involvement required by the President/Vice President would be in the actual issuance of the Executive Order.

Agency Lead and Coordination

HUD would have the lead for the Executive Order and for the Task Force. As noted above, formation of the Task Force will involve the active participation of RTC, FDIC, Veterans Affairs, Farmer's Home, GSA, Fannie Mae, Freddie Mac, and the Federal Housing Finance Board.

Weekly Update/Forecast

The Department will be drafting the Executive Order over the next two weeks.

Key Contacts

White House Policy	To be determined
White House Communications	To be determined
White House Legislative	To be determined
Agency (HUD)	Bruce Katz, Chief of Staff
	Nic Retsinas, Assistant
	Secretary for Housing/FHA
	Commissioner

INITIATIVE #5: AFFORDABLE HOUSING TASK FORCE**Summary of Initiative**

In October 1992, a task force, jointly chaired by HUD and OTS was formed to improve policy coordination in the affordable housing arena and to identify barriers to affordable housing. Members of the task force included: HUD, OMB, Treasury, Veterans Affairs, Farmer's Home, OTS, FDIC, OCC, Federal Reserve, RTC, National Credit Union Administration, Fannie Mae, Freddie Mac and the Federal Housing Finance Board.

The task force meetings since October have explored a number of interagency issues and the overall assessment is that the task force has made progress. At this point, however, the task force needs to be given a new charge and a new direction to ensure that its goals and mission accurately reflect the goals of the present administration.

Measure of Success

The measure of success would be having the Executive Order issued by the President and the Task Force begin work on the issues identified above.

Strategic Plan

The contents of the Executive Order will be developed over the next month and transmitted to OMB. The Order would be issued by the President once approved.

Level of Presidential/Vice Presidential Involvement

The only active involvement required by the President/Vice President would be in the actual issuance of the Executive Order.

Agency Lead and Coordination

HUD would have the lead for the Executive Order and for the Task Force. As noted above, formation of the Task Force will involve the active participation of HUD, OMB, Treasury, Veterans Affairs, Farmer's Home, OTS, FDIC, OCC, Federal Reserve, RTC, National Credit Union Administration, Fannie Mae, Freddie Mac and the Federal Housing Finance Board.

Weekly Update/Forecast

The Department will be drafting the Executive Order over the next two weeks.

Key Contacts

White House Policy
White House Communications
White House Legislative
Agency (HUD)

To be determined
To be determined
To be determined
Bruce Katz, Chief of Staff
Nic Retsinas, Assistant
Secretary for Housing/FHA
Commissioner



DEPARTMENT OF HEALTH & HUMAN SERVICES

Chief of Staff

Washington, D.C. 20201

MAY 21 1997

MEMORANDUM FOR MARK GEARAN
JOHN PODESTA
CHRISTINE VARNEY

FROM: KEVIN THURM 
SUBJECT: Issue Management

As you know, the White House asked for information on major issues of interest that will be useful in managing the President's and Vice-President's priorities and time. You identified a specific list of issues for which HHS must complete issue management forms. We are including information on the following issues:

- o Family Preservation
- o Head Start
- o Childhood Immunization
- o Gag Rule
- o RU 486
- o NIH Reauthorization

Although you requested information on the Hyde amendment and abortion clinic access, we understand the White House is managing the Hyde amendment issue and the Department of Justice has assumed the lead for abortion clinic access. Therefore, we are not providing information on those two items.

If you have any questions regarding our submission or need further information, please call me at 690-6133.

Attachments

FAMILY PRESERVATION

ISSUE MANAGEMENT

Summary of Initiative

The Administration's Family Preservation and Support legislation, currently before Congress, would create a capped entitlement program for:

- 1) family preservation services broadly defined to include family reunification and other follow-up services, to work with families to keep them together and to help prevent foster care placement; and
- 2) community-based family support services, to help improve parenting skills and to support families.

The bill also makes various improvements to the Foster Care and Adoption Assistance Program.

Spending authority will total \$1.395 billion over five years, starting at \$60 million in 1994 and rising to \$600 million in 1998.

Measure of Success

That Congress passes the bill as part of the reconciliation process and the President signs the bill into law.

Strategic Plan

The House Ways and Means Committee has reported out a reconciliation package, which includes the Family Preservation and Support provisions. The House is expected to take up reconciliation on the floor by May 27th.

The Senate is more problematic. Family Preservation and Support may not be included in reconciliation if the Parliamentarian determines that the Byrd Rule applies. Senate Finance is expected to take up reconciliation around Memorial Day. HHS believes strongly that the Byrd Rule does not apply if Senate Finance meets its reconciliation target.

Reconciliation should be finished in Congress by the end of the summer.

Level of Presidential/Vice Presidential Involvement

Demands on the time of the President and Vice President should be minimal. The only sticking point is getting the Senate to agree to include the provisions in reconciliation legislation, prior to Senate mark-up. This may require calls from senior policy officials, but may need to be elevated to the cabinet level.

Agency Lead and Coordination

HHS has the lead on the initiative. A tax credit for adoption assistance will involve the Department of Treasury if it is added to the bill.

Weekly Update/Forecast

During the next two weeks, it is anticipated that the bill will be brought to the House floor as part of reconciliation, and the Senate parliamentarian will decide if the "Byrd Rule" applies to Family Preservation and Support.

Key Contacts

- o White House Policy - Carol Rasco
- o White House Communications - unknown
- o White House Legislative - Howard Paster
- o Agencies
 - Wendell Primus, Deputy Assistant Secretary for Human Services Policy, Office of Assistant Secretary for Planning and Evaluation, HHS
 - Joe Motolla, Acting Commissioner of Children, Youth, and Families, Administration on Children and Families, HHS
 - Isabel Sawhill, OMB

HEAD START



HEAD START IMPROVEMENT AND EXPANSION

Summary of Initiative

In response to the President's pledge to significantly increase funds to expand Head Start, the congressional concern generated by the report issued by the HHS Inspector General, and the Department's commitment to improving the quality and effectiveness of Head Start, the Secretary has asked the Assistant Secretary designate for the Administration for Children and Families to undertake an in-depth review of the Head Start program with the assistance of an expert Advisory Committee. The Advisory Committee will have two purposes: to develop a plan to improve Head Start program quality and to make recommendations for the reauthorization of Head Start. The Advisory Committee review is vital to assure that the expansion of Head Start leads to high quality and effective services for children and families. The establishment of the Advisory Committee is pending OMB approval.

The Advisory Committee will:

- Examine the program quality of Head Start and propose a plan for improvement. Issues will include: training and technical assistance, standards and monitoring, facilities, staffing, service delivery issues, and management (grantee process, fiscal policies, federal structure).
- Explore policy and program options (such as full day/part-day; full year/part year) for the expansion of Head Start and recommend a specific plan. Issues will include: coordination within HHS and across federal departments, linkages with other initiatives (welfare reform, national service, health care reform, Chapter I), linkages with states, and local coordination; research, demonstration and evaluation (assessment of current initiatives, legislative mandates, data collection needs, accountability); and the target population to be served (age, income, continuity, economic integration)

Measure of Success

The Advisory Committee has two overarching goals. The first is to ensure that the 1994 appropriation and future expansion of Head Start balances the need to serve more children, improve quality and provide a wider variety of program options to serve the specific needs of families in their communities. It is particularly important at this time to send a clear message to Congress that the Administration is seriously and quickly addressing the quality issues that have received so much attention in the press and on capitol hill. The second goal is to make recommendations for the 1994 reauthorization of the Head Start legislation which expires at the end of FY 1994.

The Committee's final product will be a plan that clearly sets these priorities and can be implemented quickly by HHS to impact the use of FY 1994 funds and beyond.

Strategic Plan

To develop and implement a plan to improve the quality of the program and to help secure the President's appropriations request, the Committee must begin its work immediately. Furthermore, to impact reauthorization, the Committee must make its recommendations to the Secretary by the end of September, 1993.

Work has already begun internally to develop issue papers on a wide range of topics including management, health, parent involvement, social services, educational services and transition to public schools, services to children with special needs, child care/Head Start linkages, Native American Head Start, and Migrant Head Start. As part of this effort, staff will be soliciting input from the Head Start community as well as experts in early childhood, family support, and other related fields.

The Assistant Secretary designate has begun to meet with key members of Congress, at their request, to discuss Head Start quality and expansion. A series of staff to staff meetings will be held between HHS and appropriate congressional committees.

There are several public action points: the formal announcement of the Advisory Committee and its members (this announcement is dependent on OMB approval of the formation of the Advisory Committee); the three Advisory Committee meetings; Congressional appropriations and oversight hearings; open hearings for Head Start parents at the Parent Involvement Institute August 9-13, 1993 in Washington, DC; the release of the Advisory Committee's final recommendations; the national meeting of the Head Start State Association Presidents, September 30-October 3, 1993.

Level of Presidential/Vice Presidential Involvement

There are at least three opportunities for Presidential or Vice-Presidential involvement: the formal announcement of the Advisory Committee or remarks to the first Advisory Committee meeting, an address to Head Start parents at the Parent Involvement Institute in August, and the release of the Advisory Committee's final recommendations.

Weekly Update/Forecast

We are hopeful that OMB will approve the formation of this Advisory Committee in the near future.

At the request of Congressman Martinez, the HHS Inspector General as well as staff from the Administration for Children and Families will brief the House Education and Labor Committee staff

on the findings of the HHS Inspector General report on Head Start. Congressman Martinez has tentatively scheduled two hearings on Head Start quality for June 23 and 24, 1993.

Agency Lead and Coordination

The Assistant Secretary designate for the Administration for Children and Families, Department of Health and Human Services, will have lead responsibility for this initiative. The Department of Education, OMB, and the Office of the Assistant Secretary for Legislation and the Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, will be involved.

Key Contacts

Bill Galston and Shirley Sagawa are the White House policy contacts.

CHILDHOOD IMMUNIZATION

ISSUE MANAGEMENT

Summary of Initiative

The Administration is actively engaged with Congress to pass a Comprehensive Childhood Immunization Bill. This bill is intended to provide universal access to immunizations for our nation's children. The Administration's initial proposal submitted to the Congress in April provided for:

- universal purchase of vaccines;
- a nationwide immunization tracking system through state registries;
- reinstatement of the excise tax for the National Vaccine Injury Compensation Program Trust Fund; and,
- modification of the vaccine information pamphlets.

The compromise bill, introduced by Congressman Waxman, and supported by the Administration scales back the universal purchase provision to cover only Medicaid and uninsured children for immunization services. The remaining provisions of the Administration's Comprehensive Childhood Immunization Act are essentially retained in the Waxman Bill.

The President's FY 1994 Budget for child immunizations requests \$400 million or 91 percent above the FY 1993 enacted level to provide additional funding for improved service delivery and implementation of the tracking system. The expanded purchase system discussed in the compromise bill will be funded in 1995.

Measure of Success

- All children will be assured vaccine availability either through insurance or public sector purchase;
- Ninety percent of children under two will be fully immunized by the Year 2000;
- A nationwide computerized tracking system will monitor immunization coverage, remind parents that their infants and children should be vaccinated, improve reporting of vaccine-preventable disease, and enhance capacity to monitor vaccine safety and efficacy;
- New and improved vaccines will be developed and because these vaccines will require fewer contacts with the health care system, vaccine cost-effectiveness and access to immunization services will be improved;
- The supply and stability of vaccines will be assured;
- Consumer and provider information will be in place

which improves the understanding of vaccine risks and benefits and increases public acceptance of vaccines.

Strategic Plan

The Department is working to ensure that funding for the compromise bill is included in the Reconciliation Package. The Waxman Bill passed the Energy and Commerce Committee, as part of its Reconciliation Package. The Senate Labor and Human Resources Committee has marked up and approved the portions of the Bill over which it has jurisdiction. The Senate Finance Committee is expected to mark up its Reconciliation Package shortly after the Memorial Day recess.

Agency planning is underway for implementation of a Comprehensive Childhood Immunization Act. We are also coordinating with outside groups and grass roots organizations to help orchestrate a campaign on the importance of age appropriate immunizations.

Level of Presidential/Vice Presidential Involvement

President Clinton held a press conference on February 12 to announce his Immunization Initiative and inform the public that \$300 million in his FY 1993 Economic Stimulus Package was earmarked for immunizations.

President Clinton also mentioned the importance of immunizations at the annual Easter Egg hunt.

Further periodic statements, clinic visitations, Rose Garden ceremonies, etc., will be important to the success of the Initiative.

Agency Lead and Coordination

The Deputy Assistant Secretary for Health and Science in the Office of the Assistant Secretary for Health has primary responsibility for development and coordination of the program. An Interagency Committee on Immunization is coordinating the interagency and interdepartmental efforts.

Next Steps

Senate Finance will mark up its Reconciliation Package, including the Immunization Bill, shortly after the Memorial Day recess.

Key Contacts

White House--Carol Rasco

White House Communications--Unknown

White House Legislative--Howard Paster



GAG RULE

ISSUE MANAGEMENT

Summary of Initiative

The goal is to revoke current abortion counseling regulations (Gag Rule) published by the Department of Health and Human Services (HHS) in February, 1988, and to reinstate HHS policies which existed prior to that date.

Measure of Success

The desired end of this initiative is the promulgation of final regulations revoking the 1988 Gag Rule and the restoration of the pre-existing abortion related policies.

Strategic Plan

On January 22, 1993, President Clinton directed Secretary Shalala to suspend the Gag Rule and to promulgate new regulations that would return the Title X family planning program to policies which allow a free flow of information between medical professionals and clinic patients "including nondirective abortion counseling."

Two weeks later, HHS published two documents in the Federal Register -- (1) an interim rule suspending the 1988 Gag Rule and (2) a notice of proposed rulemaking (NPRM) requesting comments on a proposal which would return the Title X program to the compliance standards operative prior to 1988. Among those pre-1988 compliance standards which would be restored is the policy permitting "non-directive" abortion counseling.

Although the comment period on the NPRM has now closed, HHS is seriously considering extending the comment period for an additional 45 days. At the time of publication, the NPRM discussed only in general terms what the pre-1988 policies were. A number of commentators noted that the absence of specifics had handicapped them in commenting on the NPRM. While not legally required to do so, HHS is seriously considering extending the comment period and providing the public with a summary of the specific abortion related policies which would be restored by a final rule. Since the Gag Rule will remain in abeyance pending implementation of a final rule, there is no operational impact from such an extension, so long as the process does not linger indefinitely.

Level of Presidential/Vice Presidential Involvement

We see no need for further Presidential involvement at this time.

Agency Lead and Coordination

The Office of Population Affairs within the U.S. Public Health Service has the initiative on this matter.

Weekly Update/Forecast

The only action which may occur within the next few weeks is a decision to extend the comment period for the pending NPRM. The present intention is to hold that decision in abeyance for a short time while Congress considers the reauthorization of basic family planning legislation (Title X of the Public Health Service Act).

Key Contacts

Agency

Philip R. Lee, Assistant Secretary for Health-designate

Joel Mangel, PHS Office of General Counsel

RU 486

ISSUE MANAGEMENT: RU-486

Summary of Initiative - On January 22, 1993, President Clinton issued a memorandum directing Secretary Shalala to assess initiatives to promote the testing, licensing, and manufacturing in the United States of RU-486 (mifepristone) and to direct the Food and Drug Administration (FDA) to reassess whether RU-486 qualifies for importation under FDA's personal use importation policy.

Measure of Success - The end result that would constitute success for this initiative would be the submission of a New Drug Application (NDA) to FDA for RU-486 for abortifacient use.

Strategic Plan - RU-486 is manufactured by the French firm Roussel-Uclaf and approved to help induce abortions in France, the United Kingdom, and Sweden. Roussel-Uclaf has stated that it can act in the U.S. only with the approval of its parent company, Hoechst AG. Hoechst has historically refused to permit Roussel-Uclaf to seek marketing approval for RU-486 as an abortifacient in the U.S. There are several investigational new drug applications (INDs) on file with FDA for other uses, including Cushing's syndrome, diabetes, meningioma, and breast cancer. INDs for these indications are active and the drug is being supplied for these investigations. Specific information about these INDs is considered confidential information.

In June 1989, after questions had been raised concerning whether RU-486 could be imported under FDA's personal use importation policy, the Agency issued an import alert on RU-486. FDA stated that the drug would be inappropriate for release under the policy and that the intended use could pose a risk to the safety of the user. The import alert was challenged on July 1, 1992, when FDA and the Customs Service detained a small quantity of RU-486 from a woman entering the U.S. at Kennedy Airport in New York. The woman and two other individuals filed a lawsuit which is still being litigated. In accordance with the President's January 22 memorandum, FDA is reassessing whether RU-486 might qualify for importation under FDA's personal use importation policy and whether the import alert should be rescinded. The Agency plans to make a recommendation on this issue to PHS by July 15.

On December 16, 1992, 34 newly elected House members urged Hoechst AG to begin studies of the abortifacient use in the U.S., stating that "American women should have the same choice as women in other nations to terminate a pregnancy in a safe and responsible manner." Other members of Congress have also written to Roussel-Uclaf urging them to submit a marketing application for RU-486. In December, Commissioner Kessler wrote to Roussel-Uclaf on this drug. In response, on December 17, 1992, Roussel-Uclaf informed FDA that it was reviewing its strategy for beginning clinical trials in the U.S.

In February 1993, senior Roussel-Uclaf representatives met with Commissioner Kessler and some key FDA staff to discuss the availability of RU-486 in the U.S. for marketing and research, focusing on the types of data FDA would need in considering an NDA for RU-486. While asserting RU-486 should be made available in the U.S., the firm emphasized Hoechst's mandate that Roussel-Uclaf find a way to achieve the goal without the involvement of Roussel-Uclaf. Possible avenues discussed were a U.S. pharmaceutical firm, a research center, or a university. In March, the Secretary wrote to the president of Hoechst and urged him to eliminate the corporate barriers to the introduction of RU-486 into the U.S. market. In

a related development, Searle has recently expressed reluctance to commit its prostaglandin, Cytotec, to be used in conjunction with RU-486.

At a meeting on April 20 with company representatives, Roussel-Uclaf agreed to license the drug and to transfer the technology necessary for producing the drug to the Population Council, a non-profit scientific and technical organization, for distribution in the U.S. The Population Council will locate a manufacturer for RU-486 in this country and plans to begin a U.S. clinical trial involving at least 2,000 women to test the drug. The Population Council will move as soon as possible to submit an NDA to FDA. Once a New Drug Application is submitted for RU-486, FDA will conduct its formal review of the data concerning the safety and efficacy of the drug.

Level of Presidential/Vice Presidential Involvement - We currently believe that it is unlikely that this initiative will require much time or personal involvement by the President or the Vice President.

Agency Lead and Coordination - FDA has the lead responsibility for developing this initiative. FDA representatives met with representatives from the National Institutes of Health on March 2, 1993, to discuss initiatives to promote the testing in the U.S. of RU-486 and other antiprogestins.

Weekly Update/Forecast - FDA is in the process of conducting the reassessment related to the RU-486 import alert. The Agency is also waiting for submission of a protocol under which a clinical trial to study the drug for abortifacient use would be conducted in the U.S.

Key Contacts -

White House Policy:

White House Communications:

White House Legislative:

Agency: Mary K. Pendergast, Deputy Commissioner/Senior Advisor to
the Commissioner, Food and Drug Administration

NIH REUATHORIZATION



NATIONAL INSTITUTES OF HEALTH REAUTHORIZATION

Summary of Initiative

Reauthorization of the National Institutes of Health (NIH) programs -- The President's FY 1994 legislative program includes as a priority a three-year extension of NIH's biomedical and behavioral research program authorities.

Measure of Success

The Conference Report for S.1, the National Institutes of Health Revitalization Act of 1993 expected to be filed May 20.

Strategic Plan

Not applicable

Level of Presidential/Vice Presidential Involvement

Not applicable

Agency Lead and Coordination

Not applicable

Weekly Update/Forecast

House floor action is planned for May 25, with Senate floor expected on May 25. It is expected that the legislation should be ready for Presidential signature shortly after the Memorial Day recess.

Key Contacts

White House Legislative -- Howard Paster

Agency -- Jerry Klepner, ASL-designate
Philip Lee, M.D., ASH-designate

**PHOTOCOPY
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AGENDA

**DEPUTIES' MEETING
Friday, July 23, 1993**

- I. COMPREHENSIVE LIST OF WHITE HOUSE MEETINGS (Neel/Toback).**
- II. LIST OF EACH DEPARTMENT'S TOP ISSUES ALONG WITH TIME FRAME FOR ACTION AND POINT PERSON. (Toback).**
- III. DISCUSSION OF FTE/DETAILEES AND VOLUNTEERS (O'Connor).**
- IV. DISCUSSION OF NEW ISSUES.**
- V. ITEMS FOR NEXT MEETING ON MONDAY, JULY 26.**

Key Bill Initiatives

Health
NAPTA
RECU

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scheduling phase 3 &
plan other issues fact out
at some time

Monday 7-26 mtg

Alice -- '95 budget v.11 take time

Roy -- many other issues

Toback -- calendars of issues

Planning document through the Fall

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superintendent September

Johnson L.R. Ball

Delany cl. by 2d VR Sept.

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issues

- 25th Sept. 11 Oct. 1

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U.S. Department of Education

Issues Management: Safe Schools Act

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Summary of Initiative	Measure of Success	Strategic Plan	Level of Presidential /Vice Presidential Involvement	Agency Lead/ Coordination	Weekly Update/Forecast	Key Contacts
This initiative addresses the unacceptable level of violence in the Nation's schools. Under proposed legislation, competitive grants would be awarded to local educational agencies with serious school crime, violence prevention activities such as conflict resolution and peer mediation, and installation of metal detectors and hiring of security guards to help keep dangerous weapons out of schools.	<u>Legislation:</u> Enactment <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of putting people first. <u>Agency Action:</u> Implementation.	<u>Legislation:</u> Enactment <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of "putting people first" campaign promise. <u>Agency Action:</u> Successful implementation of program by the Department of Education.	This initiative could be enhanced by early support by the President and/or Vice President. The President talked about the need for safer schools during the campaign. Meetings with and/or calls to relevant committee members could also be helpful.	Department of Education will have lead.	OMB has completed final favorable comments. TV violence hearings were held on the Hill this day (May 21, 1993). No specific public events scheduled at this time but we anticipate some in planning overall strategy.	<u>WH Policy:</u> Bill Galston Jose Serda <u>WH Commun:</u> ? <u>WH Legist:</u> ? <u>Depart of Educ.:</u> Mike Smith, Undersecretary

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U.S. Department of Education
Issues Management: Goals 2000: Educate America Act

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Summary of Initiative	Measure of Success	Strategic Plan	Level of Presidential /Vice Presidential Involvement	Agency Lead/ Coordination	Weekly Update/ Forecast	Key Contacts
This bill will form a new federal partnership with states and local communities to reform the nation's education system. It provides support for fundamental reform of <u>all</u> schools in order to improve learning for <u>all</u> students; this contrasts sharply with existing federal education programs, which are targeted to specific categories of students or specific problems. The bill (1) formalizes in law the National Education Goals and the National Education Goals Panel to monitor progress toward achieving the goals; (2) establishes a National Education Standards and Improvement Council, to oversee the development of voluntary national content and opportunity-to-learn standards, and to provide for voluntary certification of state standards and assessments; (3) provides \$393 million in the first year, and \$2.5 billion over 4 years, to support state and local education reform; and (4) establishes a National Skills Standards Board, to oversee the development of occupational skills standards. This bill is a priority for the Administration because it: (1) delivers on the President's personal commitment to achieve the National Education Goals; (2) is part of his pledge to invest in people; (3) will lay the foundation for future Administration initiatives, including school-to-work transition, job training initiatives linked to NAFTA and other causes of worker dislocation, and the reauthorization of the Elementary and Secondary Education Act and of the Office of Educational Research and Improvement.	<u>Legislation:</u> Enactment <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of "Reinventing Government" initiative, where the federal government "steers rather than rows." <u>Agency Action:</u> Education Department will: (1) establish the National Education Goals Panel and the National Education Standards and Improvement Council; (2) Develop necessary procedures to initiate grants program to states; and, (3) develop and implement an overall strategy to use existing Department programs and resources to help accomplish the overall purposes of the bill. The Department of Labor will establish National Skills Standards Board.	<u>Legislative Calendar:</u> Bill (with exception of Title 4 (Skills Standard Board) was marked up by the Senate Labor and Human Resources Committee May 18, 1993 and reported favorably by a 14-3 vote. Title 4 will be marked up on May 25, and the bill is expected to go to the floor shortly after the Memorial Day recess. The bill passed the House education and Labor subcommittee on May 6. It is scheduled for full Committee markup on June 17. Floor actions is not yet scheduled. <u>Key Public Action Points:</u> A coalition of education and business organizations have endorsed the bill; the Education Department is working closely with the strongest supporters to mobilize their own memberships in support of the bill. Secretary Riley and other senior Education Department staff have made a series of speeches and public appearances in support of the bill. The Education Department has prepared and is attempting to place a number of op ed pieces supporting the bill. <u>Probable ending point:</u> We cannot yet anticipate when the bill will be enacted.	There has been and will continue to be a need for the President to: (1) periodically speak out on the bill, especially as the bill moves to the floor in each house; (2) become personally involved in the legislative process at a few key points, perhaps by meeting with or calling key members of the House Education Committee over the next few weeks.	The Department of Education will have the overall lead for implementation of the legislation. Implementation of the bill will be one of the Department's first "reinventing government" initiatives. The Department of Labor will have lead responsibility for implementing Title 4 of the bill, the National Skills Standards Board. The White House will have a continuing role to play in the National Education Goals Panel, since Carol Rasco serves on that Panel.	To be provided.	<u>WH Domestic Policy:</u> Bill Galston <u>WH Communications:</u> Arthur Jones <u>WH Legist:</u> Howard Paster <u>Depart of Labor:</u> Leslie Loble, Office of the Secretary

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U.S. Department of Education

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Issues Management: Joint ED/DOL School-to-Work Initiative

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Summary of Initiative	Measure of Success	Strategic Plan	Level of Presidential /Vice Presidential Involvement	Agency Lead/ Coordination	Weekly Update/ Fore cast	Key Contacts
This bill will facilitate the development of a system of rigorous academic and occupational preparation for students. This system will include structured career paths, beginning in secondary school, that may lead to any or all of the following: a nationally-recognized certificate, associate degree, an entry-level job in a high-wage career pathway, or further postsecondary education. Work-based learning and work experiences will enhance academic learning and define necessary workplace skills.	<u>Legislation:</u> Enactment Successful implementation by state and local governments, beginning as soon as the fall of 1993 (depending upon date of passage) <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of overall campaign promise of putting people first. <u>Agency Action:</u> Effective cooperation between ED and DOL on implementation	The current tentative schedule calls for the introduction of legislation by late June or early July. Consultation with Congress would begin the week of 5/31. Consultation with stakeholder groups and other constituencies would begin the week of 6/7. Work with OMB and the White House would begin that week as well. This schedule has not yet been discussed with the White House. Hearings in July. Markup would begin in August. Passage of the legislation would occur in September or October.	A "message event" would likely take place around the same time as the introduction of legislation (June or July). Further involvement is unclear.	The Departments of Education and Labor are cooperating closely on the initiative.	A summary of the legislative specifications, for use in discussions with Congress and constituencies, is being prepared in the next week.	<u>WH Domestic Policy:</u> ? <u>WH Communications:</u> ? <u>WH Legisl:</u> ? <u>Department of Education:</u> Mike Smith, Under Secretary-designate Department of Labor: Tom Glynn, Deputy Secretary-designate.

MAY 21 '93 07:32PM OFFICE OF SECRETARY

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Issues Management: Reauthorization of the Elementary & Secondary Education Act (ESEA)

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Summary of Initiative	Measure of Success	Strategic Plan	Level of Presidential /Vice Presidential Involvement	Agency Lead/ Coordination	Weekly Update/ Forecast	Key Contacts
ESEA Reauthorization includes Chapter 1, Title VII (Bilingual Education), Chapter 2 state grants, and every other major elementary and secondary education program.	<u>Legislation:</u> Enactment <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of overall campaign promise of putting people first. <u>Agency Action:</u> successful reconfiguration of the Department to support the reforms in the bill. Success in aiding States and LEAs to implement the reforms.	Decision briefings for the Secretary and the Deputy Secretary on various aspects of the proposal began in April. They will continue until early June. OMB review and White House clearance will occur during the month of June. We anticipate introduction of the Administration bill after July recess (July 12). This date was the result of negotiations with Elementary and Secondary Education Subcommittee Chairman Dale Kildee. Final passage of the bill is not anticipated until next year, as the Senate will not take up the proposal until late this year. Senator Kennedy, Chair of the Committee on Education and Human Resources, is responsible for the Senate schedule.	The President may be highly interested in aspects of the bill, in particular Chapter 1 because of its importance in serving poor children. The extent to which Presidential support for the initiative is unclear.	The Department of Education has lead role.	None for the next two weeks. The Secretary has discussed plans for rewriting Chapter 1 in recent speeches. Further updates will be provided.	<u>WH Domestic Policy:</u> Bill Galston <u>WH Communications:</u> No one specific <u>WH Legist:</u> No one specific <u>Depart of Education:</u> Mike Smith, Under Secretary-designate; Tom Payzant, Assistant Secretary-designate for Elementary and Secondary Education

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U.S. Department of Education

Issues Management: Direct Student Loan Legislation

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Summary of Initiative	Measure of Success	Strategic Plan	Level of Presidential /Vice Presidential Involvement	Agency Lead/ Coordination	Weekly Update/ Forecast	Key Contacts
The Student Loan Reform Act was introduced as part of the National Service initiative. The bill proposes a significant first step toward reforming the student aid process by phasing in a system of direct lending which will save taxpayers and students 4.3 billion dollars by 1998, which is part of the budget reconciliation target. Schools with adequate administrative capacity will originate loans on campus; smaller schools will have alternative originators and servicers chosen through a competitive process. Students will be able to choose among a variety of repayment options, including income contingent repayment. This bill has been closely aligned with National Service which was one of the President's major campaign promises.	<u>Legislation:</u> Enactment <u>Presidential/Vice Presidential Action:</u> Signature. Can use as illustration of "reinventing government" initiative. <u>Agency Action:</u> The Department of Education will implement the program. It will be important for the Department to ensure the word gets out to all eligible students.	The House Budget and Rules Committee is currently considering this legislation. The full House could vote before Memorial Day break. Likely amendments will also be proposed next week. On May 26, the Senate Labor and Human Resources hearing is scheduled. The bill could be reported out by mid-June. Senate budget is expected mid-June, Senate Rules expected late June, Senate floor vote expected late June. Conference report could be scheduled as early as July, a full vote in the House and Senate is expected in August. Could be sent to the President for signature by mid-August. In addition to the legislative components, we are also working on an extensive public relations campaign to garner support from students, financial institutions, the press, and others.	The President's recent speech on direct lending played a large role in advancing the effort. Another speech by the President or Vice President could be effective. Meetings with or calls to key members of relevant committees over the next few weeks could be helpful.	The Department of Education will have lead. Treasury (IRS) will be involved, as will the Domestic Policy Council, Council of Economic Advisors, ONB, and the WH office of National Service.	Paul Simon press conference on Sallie Mae lobbying efforts on May 25. Deputy Secretary Kunin will be testifying before Senate Education and Labor Committee May 26. Further updates to be provided.	<u>WH Policy:</u> Bill Galston <u>WH Common:</u> No one specific. <u>WH Legist.:</u> Howard Pastor <u>Agency (ies):</u> Various

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